

Agenda Item	6.8
Report No	PLN/018/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 12 March 2025

Report Title: 24/02827/FUL: Fig Power Ltd

Land 100M East Of Caithness Flagstone Limited,
Spittal Mains Quarry, Spittal

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Erection and operation of battery energy storage system (BESS) up to 49.9MW, substations, control buildings, landscaping, fencing and ancillary infrastructure

Ward: 03 – Wick And East Caithness

Development category: Major Development

Reason referred to Committee: Major Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The application is for the installation and operation of a battery energy storage system (BESS) with a generating capacity of up to 49.9MW, comprising:
- Up to 10 steel battery storage containers sited on suitable foundations above ground level, with the cabinets measuring up to 6.06m (l) x 2.4m (w) x 3m (h);
 - Up to 11 power converters and a transformer, measuring a comparable size to a battery storage cabinet;
 - On-site substation;
 - Welfare building;
 - Area of hardstanding, landscaping and biodiversity enhancement;
 - Parking for maintenance vehicles;
 - A palisade and acoustic fence;
 - A new access track and junction leading to/from the A9 trunk road; and,
 - Sustainable Urban Drainage Systems (SUDS).
- 1.2 It is anticipated that the facility would contribute to National Grid's Balancing Services Programme. The Balancing Services Programme aim is to ensure security of electricity supply by providing a system for reliable sources of electrical capacity, which ensure cost effective delivery of energy when needed. The proposed BESS would be to provide back-up electricity capacity to meet peaks in demand on the National Grid and used in response to calls for extra supply or absorb excess generation. Consequently, the equipment would not be in continuous use and may be called upon for a few minutes at a time, to several hours. Required cabling connections do not form part of the current application and would be undertaken under permitted development rights should this be installed by a licenced electricity operator.
- 1.3 Major Pre-application advice (24/01012/PREMAJ) was issued on 14 June 2024. The applicant also served a Proposal of Application Notice (PAN) in March 2024 (24/01076/PAN). The applicant undertook two public consultation events on 3 April 2024 and on 18 April 2024.
- 1.4 Although the proposal does not constitute EIA Development, the application is supported by a suite of supporting documents:
- Construction Environmental Management Plan;
 - Construction Traffic Management Plan;
 - Lithium Ion Battery Safety Note;
 - Preliminary Contamination Risk Assessment;
 - Preliminary Ecological Appraisal Survey;
 - Supporting Planning Statement;
 - Noise Impact Assessment;
 - Archaeology Desk-Based Assessment;
 - Technical Design Note;
 - Pre-application Consultation Report;
 - Design and Access Statement;
 - Landscape and Visual Impact Assessment;
 - Flood Risk and Drainage Impact Assessment;

- Transport Statement.

1.5 Variations made to the current application during its determination include:

- Amendment to red-line site boundary to meet A9 trunk road (15 July 2024);
- Introduction of proposed secondary access route (27 November 2024);
- Amendment to red-line site boundary to include proposed secondary access route (4 February 2025);
- Introduction of spare cabinet for capacity degradation (4 February 2025).

2. SITE DESCRIPTION

2.1 The development would sit within an existing disused quarry at Spittal Mains, immediately east of the A9 trunk road. The site covers a total area of approximately 1.98 ha. The approximate OS co-ordinates of the centre of the site are 316605 E, 954623 N. Access to the site is via the A9 trunk road. The site falls within Landscape Character Type (LCT) 143 Farmed Lowland Plain, as identified and mapped by NatureScot. There are no natural or landscape designations covering the site.

3. PLANNING HISTORY

3.1	11.06.2021	21/01948/PAN: Cryobattery storage facility with capacity up to 49.9 MW	Case closed
3.2	07.05.2021	21/01950/SCRE: Cryobattery storage facility with capacity up to 49.9 MW	EIA required
3.3	19.10.2021	21/04369/SCOP: Cryobattery energy storage scheme	Scoping Opinion Issued
3.4	13.06.2024	24/01076/PAN: Proposed development of a 49.9MW Battery Energy Storage System (BESS) at Spittal, Caithness	Case closed
3.5	14.06.2024	24/01012/PREMAJ: Proposed development of a 49.9MW Battery Energy Storage System (BESS), on brownfield land at Spittal Mains Quarry at Spittal, Caithness	Major Pre-app Issued

4. PUBLIC PARTICIPATION

4.1 Advertised: John O’Groat Journal, Schedule 3 Development / Unknown Neighbour
Date Advertised: 2 August 2024

Representation deadline: 16 August 2024

(Readvertised 21 February 2025 – 7 March 2025)

Timeous representations: 18 objection comment from 15 households; one objection comment from Halkirk and District Community Council

Late representations: none

4.2 Issues raised:

- Fire risk and safety issues;
- Concerns relating to protected species and appropriateness of proposed biodiversity enhancement measures;
- Cumulative impact, with recent similar developments at Spittal;
- Request for a plan which details both this application and all renewable development within a 25km radius – request to be requirement with all similar future applications;
- Lack of clear Government / Council guidance or policies;
- Health and wellbeing impacts;
- Visual impact;
- Impact on water supplies;
- Lack of community benefit provision;
- Adverse impact on the setting of listed buildings;
- Concerns regarding noise on local amenity;
- Concerns regarding vibrations from its operation;
- Concerns related to noise, light and dust during construction;
- Impact of any event at the site on the wider locality;
- Proposal may adversely affect the setting of The Flow Country as a World Heritage Site;
- Perceived conflict with various NPF4 Policies, in particular Policies 3 and 11;
- Request for any consideration of BESS applications by the Planning Authority to be paused pending the development of new policy and guidance relating to BESS applications;
- Concerns with the wider grid network upgrade project as a whole; and,
- Preference for other (unspecified) technologies for storing energy.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **Contaminated Land Officer** does not object but notes the submission of a Phase 1 Report by Mabbett, Ref 314042, June 2024, and agrees with the conclusion that further works are necessary to demonstrate the site is suitable for the proposed use; including potential exposure to potentially contaminated soils, dusts and vapours from made ground including spills. Therefore, it is recommended that a condition be attached to any permission granted.

5.2 **Forestry Officer:** no objection. The proposed BESS development is located within the old flagstone quarry working site at Spittal. There is an earth bund surrounding the site and existing buildings adjacent to the A9, both of which provide an element of screening. There are no trees within or adjacent to the site.

Policy 3 of the National Planning Framework 4 seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

A Landscape Mitigation Plan has been prepared by Mabbett which focusses on the area around the existing pond to the north. Being an old quarry site which has been stripped back to bare rock, this is a particularly challenging site in terms of establishing trees. The Landscape Mitigation Plan is only indicative and requires the input of a suitably qualified landscape consultant with experience of quarry restoration. A detailed specification is required which focusses on ground preparation and species choice, to demonstrate that trees will establish successfully on this site.

The line of trees shown along the southern boundary provides little in terms of mitigation or biodiversity enhancement. To provide any meaningful benefit, this tree planting needs to be extended to the north, although I understand from other BESS applications that this may be unacceptable due to fire risk. If this is the case, then I would recommend that tree planting is extended to the south as far as the earth bund, which will require an extension to the planning application boundary. Increasing the depth of tree planting in this direction will also help to suppress any noise experienced by the properties to the south.

Current proposals do not comply with NPF4 Policy 3.

- 5.3 **Environmental Health Officer** does not object to the application on the grounds that it is unlikely to result in a breach of legislation otherwise enforced by Environmental Health. However, the Planning Authority is advised there is the potential for adverse impact on amenity of neighbouring residents. It is therefore recommended that the conditions detailed below be attached to any consent.
- 5.4 **Flood Risk Management Team** did not object. It is accepted that flood risk may be low. As the development could be considered 'Essential Infrastructure' under SEPA's guidance, the applicant should ensure that the development will remain operational in a 200 year + climate change storm event.
- 5.5 **Transport Planning Team** – no objection to the proposed development provided that no more than 50 HGV movements are required for the construction as confirmed in the submitted Transport Statement.
- 5.6 **Historic Environment Team – Archaeology**: no objection. The archaeological report submitted to support the application makes clear that the potential for the survival of buried unrecorded remains is negligible. There are no historic environment sensitivities in this regard and no mitigation is considered necessary.
- 5.7 **NatureScot** – no objection; no site-specific comment provided.
- 5.8 **Scottish Fire and Rescue Service** has provided a standard response from its Watch Commander: SFRS is assessing all BESS site applications at the moment and there has been a working group established to consolidate all our departments and provide unified responses to all applications. Until this group completes its work, NFCC Best Practice guidance on BESS should be followed.
- 5.9 **SEPA**: no objection. BESS do not currently fall within the Pollution Prevention and Control (PPC) regulations, or COMAH (Control of major accident hazards) regimes.
- Prior to construction works commencing on site, an authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) may be

required. This authorisation is known as a Construction Water Run off Permit (Water run-off from construction sites and contains conditions to ensure protection of the water environment during construction. We encourage the applicant to engage early with SEPA to confirm if such an authorisation is required.

Post construction the discharge of surface water-run off is likely to be covered by General Binding Rules (GBR), specifically GBR10 (B) The Water Environment (Controlled Activities) (Scotland) Regulations 2011. These provide statutory controls over certain activities including the discharge of surface water from developments to the water environment and if a site complies with the GBR they are authorised to carry out the activity.

The permanent site drainage will likely be authorised under GBR and appropriate treatment must be provided and designed in accordance with the CIRIA SUDS Manual. It should be noted that run-off generated by firewater is not classed as run-off water. Any industry or business should take steps to prevent any accidents, including pollution of the water environment. The National Fire Chiefs Council have provided guidance as part of planning practice guidance (www.gov.uk/guidance/renewable-and-low-carbon-energy#battery-energy-storage-systems) for applicants to consider when preparing applications for BESS developments, it provides advice on the design and layout of BESS developments to promote fire prevention and containment.

Should the planning authority determine that proposals for BESS sites should include proposals to address the impacts from fire, then fire water runoff containment should be included in any detailed design proposals. This is because SEPA considers that fire water is polluting and therefore it needs to be treated as hazardous waste and will need to be removed from the site for appropriate treatment and disposal elsewhere at a suitably licenced facility. SEPA therefore recommends that any containment system is designed with that in mind e.g. impermeable liners, shut-off valves, easy access for tankers etc.

There is guidance available for operators on the NetRegs website on preventing pollution from firefighting. This guidance mentions containment of fire water and the isolation of containment systems from the surface water drainage system and disposal of firewater. The guidance also states that the management of fire-fighting waste (firewater) and the site's fire-fighting response should be discussed with the fire and rescue service.

- 5.10 **Scottish Water** provided a standard response which notes current sufficient water and waste water capacity nearby.
- 5.11 **Transport Scotland** did not object, but requested conditions to be attached to any permission granted.
- 5.12 **Historic Environment Scotland** did not object, but noted that a Heritage Statement has not been submitted. The proposals are likely to be of limited to no visibility when viewed from St Magnus' church, burial ground and hospital (Scheduled Ancient Monument), or in views towards it. Where visible, the proposals would appear as part of the wider existing infrastructure of the quarry, which itself has little impact on the cairn's setting. Consequently, the integrity of the monument's setting would be

unaffected. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.

6. DEVELOPMENT PLAN POLICY

6.1 The following policies are relevant to the assessment of the application:

National Planning Framework 4 (2023) (NPF4)

6.2 NPF4 comprises three parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future and includes six spatial principles (just transition / conserving and recycling assets / local living / compact urban growth / rebalanced development / rural revitalisation. Part 1 sets out that there are eighteen national developments to support the spatial strategy and regional spatial priorities, which includes single large-scale projects and networks of smaller proposals that are collectively nationally significant.
- Part 2 – sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part of the document should be taken as a whole in that all relevant policies should be applied to each application.
- Part 3 – provides a series of annexes that provide the rationale for the strategies and policies of NPF4. The annexes outline how the document should be used and set out how the Scottish Government will implement the strategies and policies contained in the document.

6.3 The following NPF4 Policies are pertinent:

- 1 - Tackling the Climate and Nature Crises
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity
- 4 - Natural Places
- 5 - Soils
- 6 - Forestry, Woodland and Trees
- 9 - Brownfield, Vacant and Derelict Land and Empty Buildings
- 11 - Energy
- 20 - Blue and Green Infrastructure
- 22 - Flood Risk and Water Management
- 23 - Health and Safety
- 25 - Community Wealth Building

Highland Wide Local Development Plan 2012 (HwLDP)

- 6.4
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 36 - Development in the Wider Countryside
 - 42 - Previously Used Land
 - 51 - Trees and Development
 - 55 - Peats and Soils
 - 56 - Travel

- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments:
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 77 - Public Access

Caithness and Sutherland Local Development Plan (2018) (CaSPlan)

- 6.5 No site-specific policies apply.

Highland Council Supplementary Planning Policy Guidance

- 6.6 Biodiversity Enhancement Planning Guidance (May 2024)
- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Mar 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (Mar 2013)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

Scottish and UK Government Planning Policy and Other Guidance

- 7.1 Control of Woodland Removal (2009)
- Onshore Wind Policy Statement (Dec 2022)
- Scottish Energy Strategy (2017)
- Draft Energy Strategy and Just Transition Plan (2023)
- 2020 Routemap for Renewable Energy (Jun 2011)
- Energy Efficient Scotland Route Map (May 2018)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 68 – Design Statements (Aug 2003)
- Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems' (UK Government, Mar 2024)
- Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Service (2023)

8. PLANNING APPRAISAL

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

- 8.2 The above means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
- a) Compliance with the Development Plan and other Planning Policy;
 - b) Energy and Carbon Saving;
 - c) Socio-Economic Impacts;
 - d) Siting, Design, Landscape and Visual Impacts;
 - e) Natural Heritage;
 - f) Habitats;
 - g) Protected Species;
 - h) Amenity;
 - i) Health and Safety;
 - j) Traffic and Transport;
 - k) Flood Risk and Drainage;
 - l) Decommissioning and Reinstatement; and,
 - m) Any Other Material Considerations.

Development Plan / Other Planning Policy

- 8.4 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), Caithness and Sutherland Local Development Plan (CaSPlan), and all statutorily adopted supplementary guidance.
- 8.5 At the high level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and, that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change (NPF4 page 26).
- 8.6 Since its adoption, NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while proposals for major developments must conserve, restore, and enhance biodiversity, including nature networks, so they are

in a demonstrably better state than without intervention, as required by NPF4 Policy 3 b).

- 8.7 NPF4 Policy 4 compliments the above policies by setting out the developer and officer requirements for ensuring that protected species are given adequate consideration prior to an application's determination. NPF4 Policy 5 for Soils applies, which seeks to protect carbon-rich soils, restore peatlands, and minimise disturbance to soils from development. The application site comprises Class 3.2 agricultural soil and therefore avoids prime agricultural land in the first instance as required by NPF4 Policy 5(b).
- 8.8 NPF4 Policy 20 for Blue and Green Infrastructure supports facilities that protect and enhance blue and green infrastructure and their networks by making climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management integral to design. The policy is supported by Policy 22 for Flood risk and water management. Policy 23 for Health and Safety is also relevant to the assessment as it seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage, promote, and facilitate development that improves health and wellbeing. Furthermore, NPF4 Policy 25 for Community Wealth Building sets out at Part a) that development proposals should contribute to local or regional community wealth building strategies and be consistent with local economic priorities.
- 8.9 While the above policies are salient to the proposal's assessment, the principal policy for assessing energy developments is NPF 11 for Energy. The policy sets out the Development Plan's in-principle support for all forms of renewable, low-carbon, and zero emission technologies, including BESS facilities. Part c) of the policy qualifies this position by stating that energy proposals should only be supported where they maximise net economic impact including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. The policy goes on to state at part e) that while significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on reduction of greenhouse gas emissions targets, the development's impacts, including cumulative impacts, must be suitably addressed and mitigated against. These considerations are not a policy test and relate to matters of: impacts on communities and individual dwellings in relation to amenity; landscape and visual impacts; public access; aviation and defence interests; telecommunications; traffic; historic environment; ecology and biodiversity (including birds); impacts on trees; and decommissioning and site restoration.
- 8.10 The principal policy for assessing renewable energy developments within the Local Development Plan is HwLDP Policy 67, which sets out that renewable energy development should be well related to the source of the primary renewable resource needed for its operation. However, for BESS technology, the source is considered to be the national grid rather than wind or watercourses given that the energy is already generated; with the purpose of the BESS being to provide support for a balanced grid. The policy requires an assessment of the proposal's contribution in meeting renewable energy targets as well as its positive and negative effects on the local and national economy, and its compliance with all other relevant policies of the Development Plan. The policy is supportive of renewable energy developments that are located, sited, and designed such that they will not be significantly detrimental

overall, either individually or cumulatively with other similar developments, having regard to the 11 specified criteria. Such an approach is considered consistent with the concept of HwLDP Policy 28 Sustainable Design along with the concept of achieving the right development in the right place and not to allow development at any cost.

- 8.11 NPF4 Policy 9 states that development proposals that will result in the sustainable reuse of brownfield land, whether permanent or temporary, will be supported. HwLDP Policy 44 expresses similar sentiments. The proposed reuse of previously-developed land, by siting a BESS development within a former disused quarry, demonstrates strong compliance with the above policies and is therefore supported.
- 8.12 Caithness and Sutherland Local Development Plan (CaSPlan) is the Area Local Development Plan covering the application site. Area LDPs, including CaSPlan itself, do not contain any specific land allocations related to the proposed type of development.
- 8.13 While not directly relevant to the proposal, the Onshore Wind Energy Policy Statement (OWEPS) recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. As such, the document sets out the Scottish Government's support for the co-locating of BESS facilities with onshore wind to help balance electricity demand and supply and add resilience to the energy system while acknowledging that on-site battery storage not only reduces pressures from the grid but enables more locally focussed energy provision while reducing costs to consumers.
- 8.14 In a similar vein, the Draft Energy Strategy and Just Transition Plan acknowledges that BESS can increase flexibility to our electricity system and provide wider benefits for consumers and society. The draft sets out that by September 2021, Scotland had approximately 864MW of installed electricity storage capacity with 2.2GW of battery storage approved through the planning system, but that Scotland requires to increase its storage capacity significantly. Since that publication, the published Quarter 2 2024 Energy Statistics for Scotland show that there is currently an estimated 12 BESS facilities under construction across Scotland, which will increase battery storage capacity by 1.4GW and that there is a total of 18.6GW of BESS projects in the pipeline, that is schemes that are in planning, awaiting construction or undergoing construction, of which this application is only one.
- 8.15 The draft energy strategy, along with the OWEPS and the policies set out within NPF4 confirm the Scottish Government's commitment to renewable energy and associated enabling transmission infrastructure as being crucial to addressing the climate crisis.
- 8.16 The Development Plan, which now includes NPF4, must be considered in the round. While there is clear in principle support for renewable energy proposals that contribute to reaching net zero, of which BESS technology is one, this is not unqualified. It needs to be demonstrated that the impact on factors such as community amenity, biodiversity, landscape and visual matters, heritage, and infrastructure, to name but a few, are addressed and/or adequately and appropriately mitigated and as such, several policy considerations will apply. The extent to which the proposal's energy, economic and other benefits as compared to other policy

considerations are assessed in the following sections. These sections demonstrate that the proposal is generally in conformity with the provisions of the development plan.

Energy and Carbon Saving

- 8.17 The proposal would be interconnected to the grid's transmission / distribution network and not co-located with an electrical generating station. The development will, however, collect energy from the grid when the supply outstrips demand. Such facilities make a commercial return by buying electricity from the grid when rates are cheaper and selling it back to the grid when rates are more expensive. However, the development will also provide electricity or other grid services when needed. Depending on the mix of electricity at the time of collection, the BESS facility may or may not be storing and then releasing renewable energy. That said all electricity generation in the region comes from renewable sources and therefore the proposal is considered to 'regenerate' renewable energy.
- 8.18 The benefit of BESS is that it stores excess energy being generated by renewable generating stations such as wind farms when the grid has reached full capacity, much of which would otherwise be lost. BESS therefore, allows renewable generating stations to operate for longer periods and provides flexibility to the grid to respond to peaks and troughs in energy demand. As a result, the technology is considered to support government policy that seeks to end a reliance on backup electricity generation from fossil fuel reliant generators and allow the full benefits of renewables, which is where the development's intrinsic carbon saving benefits are to be realised.

Socio-Economic Impacts

- 8.19 Energy storage facilities are an emergent technology and are expected to be a significant component of national energy infrastructure in the coming years and are therefore expected to support jobs and economic development. The Council is in the process of working with public, private, and community partners to develop its priorities through the Highland Outcome Improvement Plan, while the production of a Community Wealth Building Strategy is also currently under way. The ongoing Local Place Plans initiative will likely identify other local opportunities too. The Council's position on Community Benefits has recently been updated with the approval of a new 'Social Values Charter for Renewables Investment' (June 2024). The charter sets out The Highland Council's expectations from developers wishing to invest in renewables related projects in the Highland area and what the Highland partnership will do to support and enable this contribution, namely:
- embed an approach to community wealth building into Highland;
 - maximise economic benefits from our natural environment and resources;
 - engage and involve relevant stakeholders to understand how we can continually improve our impact; and,
 - unlock economic opportunities for the area.
- 8.20 The submission includes a 'Supporting Highland Council Community Wealth Building' Statement. The Planning Authority has requested that this should: 1)

maximise local economic impact and employment; 2) prioritise local employment and supply chain opportunities along with promoting environmental stewardship; 3) support the community through flexible contributions to a community and a strategic funds; 4) provide grid resilience and environmental benefits; and 5) provide training and skill development. These commitments would align with the Council's Social Values Charter by contributing to the emerging Community Wealth Building Strategy and would also ensure that the proposal results in long-lasting socio-economic benefits for the local community. The submitted Statement acknowledges the above requirements.

- 8.21 The applicant also advises of a commitment to prioritise local contractors for the proposed development's construction.
- 8.22 Furthermore, the applicant has, through the above supporting statement, also noted that such projects can stimulate local economies and generate revenue for the local community. It is expected that the developer will work with the Council and partners to maximise such contributions along with its commitment to providing opportunities for wealth building. It is vital that the applicant delivers on its commitments in as fair and transparent a manner as can be secured at this stage. As a pre-condition of any consent given then, and these commitments should be secured by condition, or other means such as a Minute of Agreement with the Council. In that way, more weight may be given in the planning balance to the development's contribution to improving community resilience and increasing spending within communities in compliance with NPF4 Policies 11 and 25 as they relate to maximising socio-economic benefits and building community wealth.

Siting, Design, Landscape and Visual Impact

- 8.23 The site has been selected for its proximity to existing grid infrastructure with the anticipated connection point being Spittal Substation and HVDC Converter Station located approx. 1.25km to the application site's north-west. The cabling route would be determined after a detailed cable survey, although utmost care should be taken as cables would require to traverse the A9 trunk road. Being close to existing infrastructure improves efficiency while minimising connection costs and materials required.
- 8.24 The site is surrounded by existing, approved and proposed infrastructure – significant infrastructure related to West of Orkney and Ayre Wind Farms is planned nearby. Several hundred MW of other battery energy storage is proposed within a short distance of the application site. The site itself is outwith any natural or landscape designation. The proposed development is however of an expectedly utilitarian design with equipment being of a functional appearance as dictated by operational and/or health and safety requirements. The height of containers, power converters and transformers and a security fence will be minimal at around 3 metres. Steel battery container units would be prefabricated and finishes can be agreed with the applicant prior to installation. The majority of the proposed compound would be finished with permeable (gravel and crushed stone) surfaces. The finalised colour, finish and materials proposed can be secured by condition.
- 8.25 Landscape and visual impacts are not considered to be significant. The application site comprises a disused quarry; there are no trees within the application site to be

affected. The site is located within the Farmed Lowland Plain Landscape Character Type, a short distance north of the boundary with the expansive Sweeping Moorland and Flows Landscape Character Type area. This area is host to several industrial/commercial developments and associated infrastructure, namely J&G Sutherland Ltd Caithness flagstone quarry, as well as a series of residential properties at Spittal (excluding the site owner's property) located approximately 150 metres from the application site. The development would therefore appear as a relatively minor addition to the local landscape without disrupting the farmed lowland plains character of the coastal triangle or the LCT overall. Given that the proposal is not out of step with existing development and given its relative scale, visual impacts are expected to be limited while landscaping will provide further screening as it establishes as shown in submitted LVIA montages. Existing screening bunds would be retained; existing buildings to the application site's west would also be retained, also serving a screening purpose. Consequently, the proposal can be supported on landscape and visual grounds.

- 8.26 Given the extent of development (existing and proposed) in the local Spittal area, cumulative impact is an important consideration. A Cumulative Impact Assessment has been prepared and submitted to this end, which lists developments underway nearby. It is considered that the proposed development would have a minor cumulative impact, given its location within a previously-developed quarry – this would greatly mitigate the visual impact of such a development on its immediate environment. The application site is currently in a developed and disused state; the proposed development therefore represents a prudent use of vacant land in combatting the currently climate and ecological emergencies. This is considered to be acceptable.

Natural Heritage

- 8.27 The information included with the application includes ecological assessments of the development's likely impacts on designated sites, habitats, protected species, and birds. The development is not situated within any sites designated for ecological interests and NatureScot has confirmed that none will be directly or indirectly impacted by the development. In addition, the Flow Country World Heritage Site is located approximately 4.8km km to the south. In view of the separation distances, and the scale of development and measures proposed it is not considered that this will adversely impact on the Outstanding Universal Value. This was also reflected in the applicants World Heritage Toolkit Assessment appraisal. As set at the base of the report a number of conditions are proposed to further address related concerns raised. In addition a Construction Environmental Management Plan (CEMP) for the scheme which will be secured by condition.

Habitats

- 8.28 Disturbance to any habitats is expected to be minimal, with no formal designations nearby, therefore the proposed development would be acceptable in this instance. Biodiversity enhancement measures would be introduced to provide mitigation, in accordance with NPF4 Policy 3(b), which states that "development proposals for national or major development ... will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity". The applicant's proposal would achieve a biodiversity net gain of 22.8%, as demonstrated

in the submitted Biodiversity Net Gain Assessment, which exceeds the Council's 10% requirement. Enhancement measures include the installation of trees, native species and a suitable meadow seed mix.

- 8.29 A Construction Environment Management Plan (CEMP) is required by condition and is to include a Schedule of Mitigation. A condition to secure an implementable Habitat Management Plan (HMP) for the long term management of restored and enhanced habitats is also proposed. The HMP is proposed to be provided prior to construction commencing on site and will require to be in place for a minimum of 30 years.
- 8.30 The above requirements are consistent with NPF4 Policy 3 b) as supported by the Council's recently adopted Biodiversity Enhancement Planning Guidance (May 2024), which require proposals for major developments to demonstrate that the development will conserve, restore, and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention and are acceptable.
- 8.31 The Forestry Officer's comments in paragraph 5.2 above are noted as they relate to Policy 3. The site lies within the confines of a quarry which is currently not in use. A detailed landscape mitigation specification is required, which is addressed below by Condition 9. In addition the application site's immediate surroundings contain only discretely defined pockets of tree coverage, therefore it is considered that other proposed enhancements such as wild grasses and scrub are appropriate; enhanced tree coverage would be surplus to requirements, especially considering that a biodiversity net gain of over 22% is able to be demonstrated without the requested additional tree planting; current proposals are considered to be sufficient both for screening (in recognition of an existing bund to the south) and for policy compliance purposes. Although the Forestry Officer's assessment is noted, it is considered compliance with NPF4 Policy is considered to be secured, given the proposed biodiversity enhancement measures.

Protected Species

- 8.32 As set out in the submitted Preliminary Ecological Assessment, there is bat roost habitat, bird presence and hibernating reptile potential within the application site.
- 8.33 The report concludes that there is currently no need to apply for a derogation license for works to proceed as no places of shelter for a protected species were identified. A Species Protection Plan (SPP) should be secured by condition, to ensure any impacts on bats or other species from the proposed development are minimised. Pre-construction surveys should also inform whether additional SPPs are required. Additional tree/shrub planting would provide a degree of biodiversity enhancement, with other mitigation measures proposed.

Amenity

- 8.34 There is likely to be some disruption during the anticipated construction period, particularly as construction materials are being delivered and during works to connect the site to related infrastructure.

- 8.35 Developers and contractors must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance in any case, as required by Section 60 of the Control of Pollution Act 1974, which is regulated by Environmental Health. Working hours on the construction site would usually be restricted to be 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday or Bank Holiday working. Construction activities that do not generate impacts beyond the site boundary are permissible outwith these hours.
- 8.36 The BESS facility employs inverters, switchgear, transformers and batteries, with the battery storage containers also fitted with air cooling units at low level on the sides of each container. As such, the operation of the facility will create a degree of noise with potential to impact residential amenity. The closest residential property is located approx. 25 metres south of the application site yet is in the same landownership as the application site. A submitted Noise Impact Assessment predicted a noise level only slightly higher than the prevailing background noise level, resulting in no realistic significant impact.
- 8.37 The Council's Environmental Health Officer has advised that the proposal is unlikely to breach environmental health legislation but that there is potential for adverse impacts on the amenity of neighbouring residents, which should be mitigated by securing noise limits through conditions. The facility may require upgrades to equipment over time, so a standard noise condition is suggested to ensure that noise emissions are limited to the standard 30dB at noise sensitive properties in order to ensure that noise emissions remain within acceptable limits for the lifetime of the development.
- 8.38 No further noise mitigation measures are required, and it is not considered appropriate to impose conditions to limit construction hours through the planning process. It should be noted however that any subsequent (unexpected) noise complaint against the facility would be required to be treated as a Statutory Nuisance complaint under The Environmental Protection Act 1990 by Environmental Health. Environmental Health would then have the option to impose additional obligations on the site's operator to implement noise mitigation measures.

Health and Safety

- 8.39 The submission includes project-specific Battery Safety Management Plan Advice that addresses how the risk of fire will be managed on and off site. The document describes the roles and responsibilities for implementing the plan along with the specific design specifications of the BESS facility along with procedures to minimise the risk of fire, fire containment and firefighting. The facility will be installed with anomaly/fire detection and suppression equipment so that in the event of any anomalies, individual equipment can be shut down and isolated pending maintenance checks. Several suppression systems are available including water based suppression and/or inert non-toxic gas based suppression along with a venting system to prevent flammable gasses building up. An external fire hydrant will be positioned near the BESS containers, providing a minimum flow rate of 1,900l/min for at least 120 minutes (2 hours). The hydrant will be tested and serviced regularly by the operator. Security fencing is also proposed around the site's perimeter.

- 8.40 Fully implementable Fire Management and Emergency Response Plans should be ready prior to the delivery of battery equipment to the site, which should be secured by condition. With these plans and procedures in place, the applicant has demonstrated that the proposal's potential significantly adverse impact on human health, safety, and the environment in the highly unlikely event of a battery fire have been duly considered and mitigated against. As such, the proposal complies with NPF4 Policy 23 for Health and Safety. It should be noted however that both plans will be working documents that will require updating from time to time in accordance with best practice and to take account of equipment and conditions on site. The regulation of fire safety, health, and other safety and environmental matters are not, however, matters for the Planning Service to regulate. Consequently, the ongoing currency of these documents will be the responsibility of the operator in consultation with the relevant agencies including the Scottish Fire and Rescue Service without the involvement of the Planning Authority.
- 8.41 Given the fire risks associated with lithium battery facilities, the Council has consulted the Scottish Fire and Rescue Service (SFRS) who have not responded to the proposal at the time of this report's completion. We are aware that SFRS has indicated that it will not be responding to individual planning applications. At this present time, there is no formalised guidance available from SFRS on BESS site developments. In the absence of a national approach no regional office comment can be provided, however, general advice from NFCC has been passed on to help inform the Planning Authority's consideration of the application. This guidance suggests that consideration be given to the prevailing winds and emergency access, containment of contaminated water run-off from potential firefighting operations, and details to demonstrate the sources of water supplies for this development in the event of fire. This information would be required to be set out within a fire safety plan which can be secured via condition. This proposal is considered to be in general accordance with the NFCC guidance. A condition is suggested to secure details of the final layout of the proposal, which will be required to reflect best practice in that regard.

Traffic and Transport

- 8.42 Existing bellmouth access to the site is via the A9 trunk road. Visibility splays of 215m in either direction from a 4.5m setback can be amply achieved without additional intervention for vehicles entering/leaving the site via the trunk road. A condition is suggested to ensure that visibility splays are maintained in perpetuity, while any additional measures required to keep visibility splays clear of obstruction such as the repositioning of street furniture and signage require the appropriate consents under separate roads legislation.
- 8.43 NFCC guidance requires at least two separate access points to the application site to account for opposite wind conditions/direction. Aside from the main, existing westerly access point, a secondary emergency access route has been proposed which would approach the proposed apparatus from the south. The proposed secondary route would also connect to the A9 trunk road; Transport Scotland has stated no objection to the marginal intensification of an existing access point a short distance south of the main access. The proposed secondary route remains within the same ownership and passes by the landowner's property. In addition, an access

track would surround the proposed apparatus on all four sides, ensuring ease of access for emergency vehicles from any direction. These proposed arrangements are considered to comply with supplied NFCC guidance and is therefore supported.

- 8.44 A submitted Transport Statement sets out a relatively low volume of HGV traffic anticipated to use the junction during the construction of the BESS, while a Construction Traffic Management Plan (CTMP) required by condition would include control measures to ensure that HGVs will not meet at the junction. No AIL movements will be required, aside from bringing a mobile crane into the site. It is considered that the principle of access is unproblematic. The detail of these control measures will require to be set out within a CTMP, which should be controlled by condition.

Flood Risk and Drainage

- 8.45 SEPA's Flood Map (inc. future flood mapping) identifies minor pockets at 0.5-10% annual risk of surface water flooding around the application site's edges. Proposed site regrading would mitigate this. A Flood Risk Assessment (FRA) has been submitted with the application. It is considered that the proposed development would comprise "essential infrastructure", in line with NPF4 Policy 22 for flood risk and water management.
- 8.46 An external fire hydrant would be positioned near the BESS containers to provide a sufficient supply of water to the site for fire suppressant. In terms of containment and suppressant of water used for fire suppressant, it is proposed to direct spent fire suppressant to an existing pond to the site's north, which is proposed to be locked with a valve in the event of a fire to prevent potentially contaminated water from draining into the site. The proposed site gravel base would also be lined to further discourage drainage of firewater into the ground. Ample capacity would be available within the existing pond – 3,725 cubic metres as a conservative estimate, assuming a minimum five metres' depth. The minimum attenuation requirements in the event of a fire are 228 cubic metres of storage (based on 1900 litres per minute for two hours). In the unlikely event of a fire, the proposed SUDS basin is therefore considered to be able to attenuate spent firewater for a period in excess of 32 hours. After such a fire event, the retained firewater would be tested for contamination. Based on the test results, an appropriate disposal method would be determined, which may include on-site treatment and controlled release, or tankering the water for off-site disposal. Tanker access for contaminated firewater extraction purposes is unlikely to be problematic, with a proposed access track immediately adjacent to the pond. The proposed arrangements are considered to be acceptable, but are secured by an attached condition.

Decommissioning and Reinstatement

- 8.47 It is understood that BESS facilities have a limited operational lifetime, generally within the region of 50 years. While there is no suggestion to limit the lifetime of this development by condition, it is appropriate as well as required under NPF4 Policy 11 e) and HwLDP Policy 67 to condition an outline Decommissioning and Reinstatement Plan (DRP) prior to the commencement of development on site. The DRP shall inform measures to safeguard and guarantee finances, prior to the commencement of development, to effectively implement the DRP in the event the operator or owner

is no longer solvent, which should also be secure by condition. The strategy and financial safeguard would also require to be reviewed at regular intervals.

Other Material Considerations

8.48 None.

Non-Material Considerations

8.49 The request to pause determination of the application until further policy / guidance is produced is not a competent stance for the Planning Authority to take. Proposals must be determined in light of the provisions of the Development Plan and other material planning considerations at the present time.

Matters to be Secured by Legal Agreement

8.50 None. A financial guarantee to cover all decommissioning and site restoration works will require to be in place prior to the commencement of development and is covered by condition.

9. CONCLUSION

9.1 The proposed development has the potential to play a role in addressing supply and demand peaks and troughs within the electricity transmission network by virtue of storing excess energy produced by generating stations, including from renewable sources. In that way, the proposal is considered to contribute to national climate change and carbon net-zero targets. It is a technology that has strong support within National Planning Framework 4 Policy 11 Energy. Given the location of this site within an existing quarry it is considered that the proposed development is acceptable and will not be significantly detrimental overall. Reuse of previously-developed land is strongly supported. Although industrial in appearance, the proposal would be appropriately distanced and screened from the trunk road and residential properties and well screened from other locations. As such, landscape and visual impacts are well within acceptable limits. Moreover, the proposal will result in appropriate biodiversity net gain through screening and eventual restoration. The development is considered acceptable.

9.2 All relevant matters have been taken into account when appraising this application in so far as they relate to material planning considerations.

9.3 It is considered that the proposal accords with the principles and policies contained within the Development Plan, which is acceptable in terms of all other applicable material considerations subject to the conditions suggested below.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

- 10.4 Climate Change/Carbon Clever: the proposal has potential to contribute to climate change and carbon net-zero targets
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued N

It is recommended to **GRANT** the application subject to the following conditions and reasons:

1. Commencement of Development

The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Accordance with the Provisions of the Application

(1) Permission is hereby granted for the erection and operation of a Battery Energy Storage System (BESS) facility, with the following elements approved under this permission:

- Up to 10 battery storage cabinets up to 3m in height each;
- Power converters and transformers;
- Substation;
- Welfare building;
- Acoustic fencing;
- Biodiversity enhancement;
- Area of hardstanding;
- Parking for maintenance vehicles;
- Access tracks and junctions with trunk road; and,
- Water hydrant.

(2) Prior to the final commissioning of the development hereby approved, all elements of the development that relate to Part (1) above, and as approved in writing by the Planning Authority under Condition 3 below, along with site drainage and flood mitigation infrastructure, site security measures, and fire safety measures including the means of containment of fire suppressant materials shall be constructed and installed in full, made available for use, and thereafter maintained for this use for the lifetime of the development.

(3) In the event of the Development not storing and supplying electricity on a commercial basis to the grid network for a continuous period of 12 months from 50% or more batteries installed and commissioned from time to time, the Company shall immediately notify the Planning Authority in writing of

that situation and shall, if the Planning Authority direct in writing, decommission the development and reinstate the site to the specification and satisfaction of the Planning Authority in accordance with an approved Decommissioning, Restoration, and Aftercare Plan, which shall be based on the principles of the Decommissioning, Restoration, and Aftercare Strategy approved under Condition 4 of this permission and updated according with the relevant guidance and best practice at the time. The Planning Authority shall have due regard to the circumstances surrounding the failure to store electricity.

- (4) At the time of the development's decommissioning, the development shall be decommissioned, the site restored, and aftercare undertaken in accordance with the approved Decommissioning, Restoration, and Aftercare Plan.

Reason: In order to clarify the terms of the planning permission and ensure the development proceeds as approved. To secure the decommissioning and removal of the development in an appropriate and environmentally responsible manner along with the restoration of the site in the interests of safety, amenity, and environmental protection.

3. **Final Layout, Design, and Specifications**

- (1) No development shall commence unless and until full siting and design details of the development including all proposed battery cabinets, buildings, and ancillary infrastructure hereby permitted, have been submitted to, and approved in writing by, the Planning Authority. These details shall include:
 - a. the make, model, design, power rating, sound power level of the batteries, the dimensions of the battery storage cabinets and ancillary infrastructure, control building, storage and office facilities to be installed, and show separation distances between battery storage units which shall comply with the prevailing fire safety legislation and best practice guidelines at the time of installation; and,
 - b. the external colour and/or finish of the storage containers, buildings, and ancillary infrastructure on site, which shall have a dark-neutral, non-reflective, semi-matte finish.
 - c. Dimensioned plans (and swept path) showing access and turning within the site to enable safe access/egress in a forward gear.
 - d. Dimensioned plans showing the parking layout and a statement justifying the parking provision during construction.
- (2) No element of the development shall have any text, sign or logo displayed on any external surface, save those required by law under other legislation.
- (3) Thereafter, the storage cabinets, buildings, and ancillary infrastructure shall be installed and operated in accordance with these approved details and, with reference to part (b) above, the storage containers, buildings, and ancillary infrastructure shall be maintained in the approved colour, free

from rust, staining or discolouration until such time as the development is decommissioned.

All cables between the storage containers, buildings, and ancillary infrastructure shall be installed and kept underground.

Reason: To ensure the Planning Authority is aware of the development details and to protect the visual amenity of the area.

4. **Decommissioning, Restoration, and Aftercare**

(1) No development shall commence unless and until a Decommissioning, Restoration, and Aftercare Strategy has been submitted to, and approved in writing by, the Planning Authority. The strategy shall outline measures for the decommissioning of the development along with the restoration and aftercare of the site, and shall include proposals for the removal of individual components of the development as well as the development as a whole as well as the treatment of ground surfaces, and, the management and timing of the works and environmental management provisions which shall include, but not be limited to, the following:

- a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- b) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
- c) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
- d) details of measures for soil storage and management;
- e) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
- f) temporary site illumination;
- g) management and timing of the works; and
- h) a traffic management plan to address any traffic impact issues during the decommissioning period.

Reason: To ensure the decommissioning and removal of the development, along with the site's restoration in an appropriate and environmentally responsible manner in the interests of safety, amenity, and environmental protection.

5. **Financial Guarantee**

No development shall commence until:

(1) Full details of a guarantee, bond or other financial provision to be put in

place to cover all of the decommissioning and site restoration measures outlined in the Decommissioning and Restoration Plan approved under Condition 3 of this permission have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/or leaseholder; and

- (2) Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (1) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal / recycling, site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the Planning Authority; and
- (3) Documentary evidence that the guarantee, bond or other financial provision approved under parts (1) and (2) above is in place has been submitted to, and confirmation in writing that the financial provision is satisfactory has been issued by, the Planning Authority;
- (4) Thereafter, the Operator, and Leaseholder and/or Landowner, shall:
 - a) Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and
 - b) Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five years thereafter until such time as the development is decommissioned and the site restored.
- (5) Each review shall be:
 - a) conducted by a suitably qualified independent professional; and
 - b) published within three months of each five-year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and
 - c) approved in writing by the Planning Authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.

Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written information, or another timescale as may be agreed in writing by the Planning Authority, and in accordance with the recommendations contained therein.

Reason: To ensure that there are sufficient funds to secure the implementation of the Decommissioning, Restoration, and Aftercare Plan at the time of the development's decommissioning.

6. **Drainage**

No development shall commence until details of the final drainage design (including final ground levels and discharge rates information) have been

submitted to, and approved in writing by, the Planning Authority, which shall include measures for the testing of a spent fire suppressant water and where necessary its containment and disposal, as well as calculations to demonstrate that all storm events up to the 1 in 200 year plus climate change storm event shall be managed from within the application site boundary. Thereafter, the development shall be constructed in accordance with the approved details, which shall be made available for use prior to the development's first occupation and maintained in perpetuity.

Reason: In order to ensure the site is adequately drained in accordance with the principles of Sustainable Urban Drainage Systems.

7. **External Lighting**

No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In the interests of visual amenity, to prevent permanent lighting and minimise light pollution and to ensure the development does not have an adverse impact on residents and nocturnal animals.

8. **Habitat Management Plan (HMP)**

(1) No Development shall commence unless and until a Habitat Management Plan (HMP) has been submitted to, and approved in writing by, the Planning Authority. The HMP shall set out the proposed habitat management of the site including full details of biodiversity enhancement measures.

(2) The HMP shall provide for the maintenance, monitoring, and reporting of the habitat within the HMP area.

(3) The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.

(4) Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented within 12 months of following ground works commencing on site and shall remain in place for a minimum of 30 years.

(5) GIS shapefiles of HMP areas shall be supplied with the HMP to the Planning Authority prior to the commencement of works.

Reason: To ensure that the development secures positive effects for biodiversity in accordance with NPF4 and to allow the Planning Authority to map areas of compensation and enhancement.

9. **Biodiversity Net Gain**

(a) No development shall commence until details of a scheme of landscaping works have been submitted to, and approved in writing by, the Planning Authority. The input of a suitably qualified landscape consultant, with experience of quarry restoration, in the scheme's preparation shall be required. The submitted scheme shall detail:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities, with all vegetation to maintain a 10m setback from the proposed BESS units; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works, including maintaining a 10m unvegetated setback from all BESS units for the operational lifetime of the development.

(b) Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

(c) Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In the interest of Biodiversity Net Gain; in order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

10. **Species Protection**

(1) No development or Site Enabling Works shall commence until pre-construction ecological surveys are undertaken, which shall be undertaken at the appropriate time of year and no more than 3 months prior to works commencing on site, and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The surveys shall cover the application site including an appropriate buffer from its boundary.

(2) In the event that works are intended to be carried out within the main bird breeding season, March through August inclusive, surveys for ground nesting birds shall be undertaken no more than 24 hours prior to any works commencing on site including site clearance works.

(3) Development and work shall progress in accordance with any mitigation

measures contained within the approved report of survey and the timescales contain therein.

Reason: in the interest of protecting ecology, protected species including nesting birds, and their habitats.

11. **Construction Environment Management Plan (CEMP)**

No development shall commence until a Construction Environment Management Document (CEMD) has been submitted to and approved in writing by the Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved CEMD, subject to any variations approved in writing by the Planning Authority. The CEMD shall include:

- a) details of the phasing of construction works;
- b) details of any temporary site construction compound including temporary structures/buildings, fencing, parking and storage provision to be used in connection with the construction of the development;
- c) details and implementation and a timetable for post construction restoration/reinstatement of the temporary working areas, and the construction compound;
- d) details of the method of construction and erection of the structures and any underbuilding/platforms;
- e) details of pollution control: protection of the water environment, bunding of fuel storage areas, surface water drainage, sewage disposal and discharge of foul drainage;
- f) details of temporary site illumination during the construction period;
- g) details of timing of works;
- h) details of surface treatments and the construction of all hard surfaces and access tracks between each element of the proposed development This shall include details of the tracks in a dark, non-reflective finish with details of the chemical properties of any and all imported stone provided;
- i) details of routeing of onsite cabling;
- j) details of emergency procedures and pollution response plans;
- k) siting and details of wheel washing facilities;
- l) cleaning of site entrances, site tracks and the adjacent public highway and the sheeting of all HGVs taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway;
- m) details of working practices for protecting nearby residential dwellings, including general measures to control noise and vibration arising from on-site activities, to be adopted as set out in British Standard 5228 Part 1: 2009;
- n) a Species Protection Plan;
- o) details of areas on the site designated for the storage, loading, off-loading, parking and manoeuvring of heavy duty plant, equipment

- and vehicles; and,
- p) details of how the best practicable measures will be implemented to reduce the impact of construction noise at noise sensitive locations.

Reason: To ensure that construction works are undertaken in accordance with applicable standards in the interests of environmental protection, amenity, and safety.

12. **Construction Traffic Management Plan (CTMP)**

- (1) No development shall commence on site until a Construction Traffic Management Plan has been submitted to, and approved in writing by, The Council after consultation with Transport Scotland. The Construction Traffic Management Plan shall include:
- a) Identification of the routes to site for general construction traffic and details of the number and type of vehicle movements anticipated on these routes during the construction period;
 - b) Scheduling and timing of movements, avoiding local school peak travel times, and any large public event taking place in the local area which would be unduly affected or disrupted by construction vehicles using the public road network;
 - c) Traffic management measures on the routes to site for construction traffic including details of traffic management proposals to prevent HGVs meeting on the private access to the site or at its junction with the public road. In addition, measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs and banksman/escort details should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the Local Roads Authority before delivery commences;
 - d) Measures to mitigate the impact of general construction traffic on the routes to site following detailed assessment of the relevant roads;
 - e) Measures to control the use of any direct access onto the A9 trunk road;
 - f) A procedure for condition surveys of the site access and construction traffic routes along with the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
 - g) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
 - h) Provisions for emergency vehicle access;
 - i) A timetable for implementation of the measures detailed in the CTMP; and

- j) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping local Community Councils informed and dealing with queries and any complaints regarding construction traffic.

(2) In the event that Abnormal Indivisible Loads (AIL) are required, prior to the delivery of any AIL to the site, the CTMP shall be updated to include the proposed route for any AIL on the public road network along with any accommodation measures required, including the removal of street furniture, junction widening, and traffic management measures.

Thereafter the approved CTMP shall be implemented in full prior to development commencing and remain in place until the development is complete. All construction traffic associated with the development hereby approved shall conform to the requirements of the agreed Plan.

Reason: in the interest of road safety and to mitigate any impacts of construction traffic and the delivery of abnormal loads on the public road network.

13. **Site Access**

No development shall commence until full details including fully dimensioned and annotated plans of the site access junction with the A9 trunk road have been submitted to, and approved in writing by, the Planning Authority, showing (but not limited to):

- i. carriageway and verge widths;
- ii. the location of gates (which shall have a minimum of 15 metres from the carriageway and open away from the trunk road) and bellmouths;
- iii. the first 6m of the access from the edge of the trunk road to be surfaced with a bound bituminous material;
- iv. any amendments to the public road drainage arrangements; and,
- v. visibility splays of 215m x 4.5m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction, which at no time shall anything obscure visibility between a driver's eye height of 1.05m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.

Thereafter, the approved access arrangements shall be completed in full and made available for use prior to the first occupation of the development and maintained for this use in perpetuity.

Reason: in the interests of road safety and in accordance with the applicable standards.

14. **Fire Risk Management and Emergency Response Procedures**

Prior to the first commissioning of the development hereby approved the following documents shall be submitted to, and approved in writing by, the Planning Authority in consultation with the Scottish Fire and Rescue Service:

- i. a complete and fully implementable Fire Risk Management Plan; and,

- ii. a complete and fully implementable Fire Emergency Response Plan.

The developer shall thereafter undertake any review and amendment to both documents as may be required from time to time, in consultation with the relevant agencies.

Reason: In order to provide the Planning Authority sight of onsite management practices and procedures as they relate to fire risk management and fire emergency response, and to ensure the ongoing currency of both plans in the interests of human health, safety, amenity, and environmental protection.

15. **Water Supply**

No development shall commence until full details of the water supply to serve the development for the suppression of fire have been submitted to, and approved in writing by, the Planning Authority. These details shall demonstrate:

- a) confirmation from Scottish Water that sufficient capacity is reserved at its water treatment plant to serve the development;

Or,

- b) that the development can be sufficiently served by a private water supply through an appraisal specifying the means by which a water supply shall be provided and thereafter maintained to the development. This appraisal, which shall be carried out by an appropriately qualified person(s), shall demonstrate that the sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, will not be compromised by the proposed development. The development itself shall not be occupied until the supply has been installed in accordance with the approved specification.

Reason: To ensure that an adequate water supply can be provided to meet the requirements of the proposed development and, where relevant, without compromising the interests of other users of the same or nearby private water supplies.

16. **Noise**

- (1) The development shall proceed in strict accordance with the approved Noise Impact Assessment. Mitigation measures identified in the assessment shall be in place prior to the commencement of operation and thereafter maintained in perpetuity.
- (2) In the event that there are any changes to the equipment or noise mitigation measures that could result in the development resulting in increased noise levels prior to the development becoming operational, a revised noise impact assessment shall be submitted to, and approved in writing by, the Planning Authority. Thereafter the development shall proceed in accordance with the approved revised assessment

- (3) Noise arising from within the operational land of the site, hereby permitted, when measured and/or calculated as an LZeq, 5min, in the 100Hz one third octave frequency band, shall not exceed 30 dB(A)*, when measured and/or calculated as at the curtilage of any noise-sensitive premises.
- (4) The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within the operational land of the site, hereby permitted, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound.
- (5) All plant, machinery and equipment associated with the development shall be so installed, maintained and operated such that any associated operating noise does not exceed NR20 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes throughout the lifetime of the development.
- (6) Prior to the development becoming operational, if there are any changes to the proposed equipment or mitigation measures which could result in an increased noise level, a revised noise impact assessment shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall proceed in accordance with the revised assessment.

For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

*The sound level to be applied will depend on the measured background level and the predicted sound level at the nearest noise sensitive property. Maybe open to negotiation and agreement.

Reason: in the interest of amenity.

17. **Record Keeping**

The Operator shall, at all times after the first commissioning of the development, record information regarding the details of power stored and generated, inclusive of dates and times of any failures, and retain the information in perpetuity. The information shall be made available to the Planning Authority within one month of any request by them.

Reason: To ensure end of life decommissioning of the site.

18. **Socio-Economic Benefit**

Prior to the Commencement of Development, a Local Employment Scheme for the construction of the development shall be submitted to and agreed in writing by the Planning Authority. The submitted Scheme shall make

reference to the supporting Social Value Charter Statement (dated December 2024).

The Scheme shall include the following:

- a) details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;
- b) details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;
- c) a procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- d) measures to be taken to offer and provide college and/or work placement opportunities at the development to students within the locality;
- e) details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;
- f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council; and
- g) a timetable for the implementation of the Local Employment Scheme.

Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider community. To make provision for publicity and details relating to any local employment opportunities.

19. **Compliance Monitoring on Receipt of Complaint**

Within 21 days from receipt of a written request of the Planning Authority, following a complaint to it alleging noise disturbance at a noise sensitive location, the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits.

The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of receiving the written request.

If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring must be agreed in writing beforehand with The Highland Council's Environmental Health Service.

Reason: in the interest of amenity.

20. **Mandatory Compliance Monitoring**

Within 21 days from receipt of the development becoming fully operational the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with consented noise limits.

The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of the development becoming fully operational.

If the noise level exceeds the prescribed noise limits, the assessment report shall include a scheme of mitigation to be enacted, including timescales for implementation, to ensure compliance with consented noise limits.

Details of the proposed compliance monitoring must be agreed in writing beforehand with The Highland Council's Environmental Health Service.

Reason: in the interest of amenity.

21. **Micro-siting**

All infrastructure shall be constructed in the locations shown in Drawing No. 000014-FIG-DR-0006 REV P05 – Site Layout Plan except as adjusted by micro-siting of no more than 10 metres from the original position shown on Drawing No. 000014-FIG-DR-0006 REV P05 – Site Layout Plan. No infrastructure shall be moved south of the acoustic fence shown on Drawing No. 000014-FIG-DR-0006 REV P05 – Site Layout Plan regardless of the micro-siting allowance.

Any changes to infrastructure locations outside of the micro-siting limit is to be approved by the Planning Authority. Upon completion of the construction of the development a final as built plan shall be submitted to the planning authority.

Reason: To enable appropriate micro-siting within the site to enable the developer to respond to site-specific ground conditions, while enabling the planning authority to retain effective control over any changes to layout that may have ramifications for the environment and/or landscape and visual impact.

22. **Battery Safety Management Plan**

No development shall commence until a full Battery Safety Management Plan has been submitted to and approved in writing by the Planning Authority.

The submitted Plan shall include detailed specifications of all points raised in a previously-submitted Battery Safety Note, received by the Planning Authority on 28 June 2024.

Thereafter the construction of the development shall only be carried out in strict accordance with the approved Plan's specifications.

Reason: In the interests of safety and environmental protection.

23. **Dust**

Prior to the commencement of development, the applicant shall submit, for the written approval of the Planning Authority, details of a dust mitigation scheme designed to protect neighbouring properties from dust arising from this development.

Thereafter the development shall progress in accordance with the approved dust suppression scheme and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

Reason: In the interests of amenity and the prevention of dust-related pollution.

24. **Construction Noise**

Prior to construction commencing, the applicant shall submit, for the written approval of the planning authority, a construction noise mitigation scheme which demonstrates how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of construction noise. The assessment should include but is not limited to the following:

- A description of the most significant noise sources in terms of equipment; processes or phases of construction.
- The proposed operating hours and the estimated duration of the works for each phase.
- A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required).
- A description of noise mitigation methods that will be put in place including any proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence requires to be justified.

Thereafter the development shall progress in accordance with the approved Noise Mitigation Scheme and all approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

Reason: In the interest of amenity.

25. **Contaminated Land Assessment**

No development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. The scheme shall include:

- a) the nature, extent and type of contamination on site and identification of pollutant linkages and assessment of risk (i.e. a land contamination investigation and risk assessment), the scope and method of which shall be submitted to and agreed in writing by with the Planning Authority, and undertaken in accordance with PAN 33 (2000) and British Standard BS 10175:2011+A2:2017 Investigation of Potentially Contaminated Sites - Code of Practice;
- b) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works, and proposed verification plan to ensure that the site is fit for the uses proposed;
- c) measures to deal with contamination during construction works;
- d) in the event that remedial action be required, a validation report that will validate and verify the completion of the agreed decontamination measures;
- e) in the event that monitoring is required, monitoring statements shall be submitted at agreed intervals for such time period as is considered appropriate by the Planning Authority.

No development shall commence until written confirmation has been received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

26. **Firewater Disposal**

No development shall commence until full details of an appropriate disposal method statement to remove any contaminated spent firewater from the application site has been submitted to and agreed in writing by the Planning Authority. Details shall include a methodology explaining which contamination test results would merit which of a range of disposal methods, as well as full details of each proposed disposal method (e.g. on-site treatment and controlled release, and conveyance from the site via tanker vehicle).

Reason: In the interest of environmental protection, to ensure no compromise to nearby designated sites.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that, subject to the conditions suggested below, the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. The granting of planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

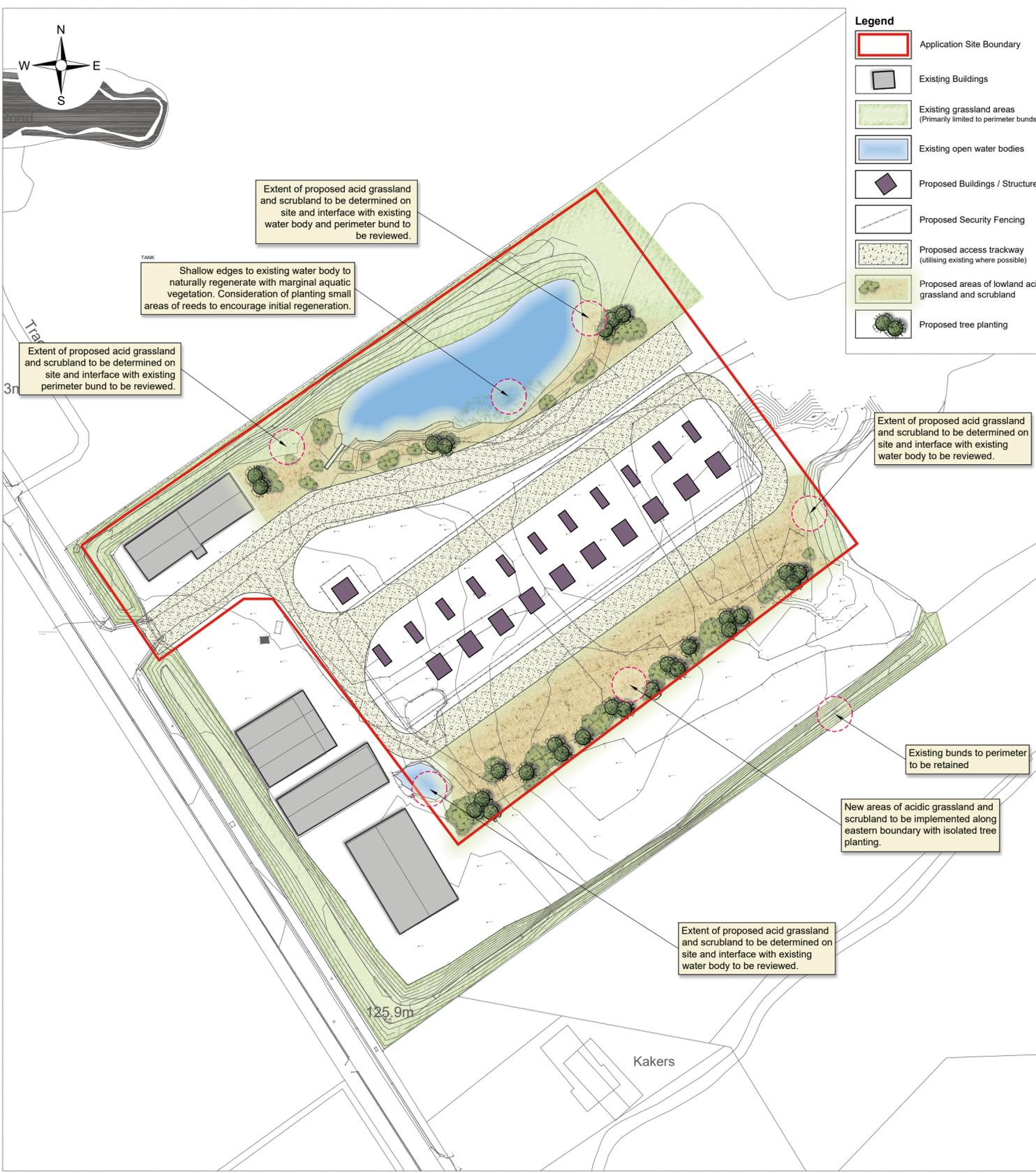
Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot:

<https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature: Dafydd Jones
Designation: Area Planning Manager - North
Author: Craig Simms
Background Papers: Documents referred to in report and in case file.

Relevant Plans:			
	Plan 1	000014-FIG-DR-0012 REV P02	PROPOSED SITE SECTION PLAN
	Plan 2	L1	LANDSCAPING PLAN
	Plan 3	000001 REV P03	ELEVATION PLAN - EAST & WEST
	Plan 4	000014-FIG-DR-0006 REV P05	SITE LAYOUT PLAN
	Plan 5	000014-FIG-DR-0011.1 REV P02	STREET LIGHTING PLAN
	Plan 6	FIGURE 1	DRAINAGE CONSTRUCTION DETAILS - SHEET 1
	Plan 7	FIGURE 1	DRAINAGE LAYOUT PLAN
	Plan 8	FIGURE 2	DRAINAGE CONSTRUCTION DETAILS - SHEET 2
	Plan 9	000014-FIG-DR-0007 REV P03	ELEVATION PLAN - NORTH & SOUTH
	Plan 10	000014-FIG-DR-0011 REV P02	ELEVATIONS - EQUIPMENT



- Legend**
- Application Site Boundary
 - Existing Buildings
 - Existing grassland areas (Primarily limited to perimeter bunds)
 - Existing open water bodies
 - Proposed Buildings / Structures
 - Proposed Security Fencing
 - Proposed access trackway (utilising existing where possible)
 - Proposed areas of lowland acid grassland and scrubland
 - Proposed tree planting

Introduction
 This drawing has been prepared to illustrate the landscape strategy for the proposed development of a 49.9MW Battery Energy Storage System (BESS) at Spittal Mains Quarry, Caithness.

The proposed BESS development is located within the former Spittal Mains Quarry that was once providing flagstones, and lies to the east of the A9, separated by earth bunds and existing buildings associated with the former quarry. There is no known restoration programme for the wider quarry site, and as such, these landscape proposals are limited in extent to the areas defined by the BESS application boundary.

The landscape proposals have been developed to work with the existing landscape features within the site, namely the following:

- Retention and possible enhancement of the existing pond(s) within the application boundary, located adjacent to the northern boundary of the quarry;
- Retention of the existing soil storage bunds to the perimeter of the wider quarry area, noting that a small length of the northern bund is located within the application boundary.

Design Intent
 The intention is for the creation of areas of acid grassland and scrub mosaic, with occasional tree planting, to provide a suitable habitat, provide an element of additional screening against possible views, whilst incidentally undertaking and partial restoration of a small area of the wider quarry site. These areas are proposed to the immediate north-west and south-eastern areas of the Site, flanking the proposed BESS development, with existing buildings being retained to the south-western boundary. There is no intention of regrading any areas of the Site, with the proposals working with the existing contours. Minor changes through the formation of suitable depths of soil to facilitate planting, may be required and are to be confirmed.

Materials and Soils
 The site itself comprises areas of rock and areas of gravels / crushed stone, well compacted through years of use and vehicle movements. It is unknown at this stage if there are any suitable indigenous soil resources present within the site, or suitable on-site retained materials (e.g. overburden) to blend and manufacture suitable restoration soils. It is therefore unlikely that suitable soils are present within the site and there will be a requirement for importation of suitable soils.

Where possible, the in-situ material will be ripped to 0.5m depth at 0.75m centres as required to aid drainage. In the likely situation that the surface is unable to be ripped, the placement of subsoils and soils is a likely alternative, to the depths as proposed below.

Soils would ideally be placed during summer months whenever possible using loose tipping techniques, avoiding traffic on restored areas, and the restored land sown before the ensuing winter to reduce erosion.

The soil depths indicated below would be added to a lower subsoil depth of 0.25m to enable suitable planting depth:

- Areas of tree planting will be up to 0.5m combined depth of upper subsoil and topsoil over the prepared lower subsoil areas (depth above existing ground level of approx. 750mm); and
- Soils in acid grassland / scrub mosaic areas will be laid to a depth of up to 0.25m over the prepared lower subsoil areas (depth above existing ground level of approx. 0.5m).

Where lower subsoils or in-situ material cannot be suitable prepared due to the constituent material (e.g. hard rock) additional depths of subsoil and soil materials may be laid as required, subject to availability.

Indigenous soils (if available) or imported soils will be used to ensure the satisfactory creation of landscaping areas to accord with current guidance on the minimum requirement for soil materials for woodland (see table below) - save for the exception of acid grassland / scrub mosaic.

Property	Woodland / Tree Planting Soil
Bulk density	<1.5g/cm3 (to 0.5m+)
	< 1.7g/cm3 (to 1m+)
Stoniness	<40% by volume
Organic matter	>10%
pH	4.5-8.5
Nutrients (P, K, Mg)	2, 2, 1
Electrical conductivity	< 2000 µS cm-1
Iron pyrite content	< 0.5%

If indigenous soils are available, or if limited in availability and imported materials are needed, a series of soil tests will be taken analysing them for pH, texture, extractable Phosphorous (P), Potassium (K) and Magnesium (M) and total Nitrogen (N). Where soils do not meet the minimum standards, further soil amelioration will be undertaken. Soils will be further tested during the aftercare period as appropriate to account for any planting/grassland failure and suitable amelioration action taken as necessary.

Habitat Creation
 The intention for the site is to create an area of acid grassland / scrub, with occasional areas of tree planting present.

The soils of this acid grassland / scrub mosaic area will be assessed for suitability at the earliest stage after 'soil' placement to determine the appropriate scheme for acid grassland establishment.

Generally, the following soil properties will be sought prior to restoration:

- Very low fertility - Maximum plant-available nutrients present in soil: Calcium (C) - between 50 and 180mg/kg, Nitrogen (N) - less than 0.2% total N, Potassium - less than 120mg/l, Magnesium (Mg) - less than 50mg/l, Phosphorous (P) - lies between 1 - 8 mg/kg;
- Low pH - pH 3 to 4.5; and
- Free-draining - and non-compacted.

Where ameliorative action is required, an appropriate strategy will be formulated based on the results of soil analyses undertaken, for example, the reduction of the soil pH may be achieved by the spreading a layer of Bracken mulch (10cm deep) over the surface.

The basal area soils will be ploughed and power harrowed to a depth of 200mm to create a homogenous well-broken, non-compacted till of 50mm down. All cultivations will only be undertaken during dry ground and weather conditions.

he following methods will be considered to introduce acid grassland species, either on a standalone or combination basis (depending on size of area available for seeding):

1. Green hay strewing from donor site;
2. Sow seed harvested from donor site; and/or
3. Commercially available seed.

Green hay strewing - involves the baling and taking of freshly cut hay from a local lowland acid grassland donor site, that will contain seeds and spreading over the area to be colonised. On exposed and steeper slopes, green hay may be temporarily pegged (secured) in position. To minimise seed losses in transit, disturbance and turning of the hay should be minimised at the donor site and placed as soon as possible after cutting (generally late summer/early autumn) at the recipient site. The hay is removed after a period of 3 - 4 weeks, which should allow sufficient time for seed to drop.

Seed harvested from donor site - via forage harvester between September and November (twice for full species compliment). Would spread in spring or autumn to 2-3 times size of donor site and cover with woody litter or use a nurse grass species mix. Area would be rolled after seeding. May expect germination to take 3 years.

Commercially available seed - Main disadvantage is a potential lack of local provenance and full species compliment. Seeds would be broadcast sown in autumn or spring, at a rate of 4g/m2 (40kg/ha).

In the absence of donor site material, potential appropriate commercial seed mixes, for acid grassland, are outlined below. These include a number of nurse and drought tolerant species, in addition to a range of indicator species. Where a commercial seed mixes are to be used, these will be adapted and sourced according to availability and the final likely soil conditions.

Potential Commercial Seed Mixes for Acid Grassland (or other similar approved)

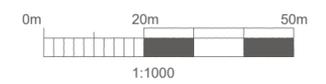
- RE12 Drought Lane (U16 Grassland) by Germinal Seeds, including various indicator species such as Campanula rotundifolia (Harebell), Rumex acetosella (Sheep's Sorrel), Teucrium scorodonia (Wood Sage), Prunella vulgaris (Selfheal), Achillea millefolium (Yarrow), Leontodon autumnalis (Autum Hawkbit) and Hypochaeris radicata (Cat's Ear/Flatweed)
- RE11 Heath Scrubland (U13 Grassland) by Germinal Seeds, including various indicator species such as Agrostis canina (Velvet Bent), Anthoxanthum odoratum (Sweet Vernal Grass), Calluna vulgaris (Heather), Vaccinium myrtillus (Bilberry), Potentilla erecta (Tormentil), Rumex acetosella (Sheep's Sorrel), Prunella vulgaris (Selfheal), Achillea millefolium (Yarrow), Leontodon autumnalis (Autum Hawkbit) and Hypochaeris radicata (Cat's Ear/Flatweed).

The addition of scrub areas is proposed throughout the grassland areas, to include species such as Gorse (Ulex europaeus), Broom (Cytisus scoparius), Blackthorn (Prunus spinosa) and Hawthorn (Crataegus monogyna) in equal proportions.

Maintenance / Management
 In order to best monitor the development of the acid grassland / scrub mosaic, a period of aftercare maintenance is required, the duration to be agreed. Frequent aftercare meetings are also required to ensure ongoing management can be tailored to suit the establishment requirements.

Establishment maintenance will include:

- A cutting regime based on a cut to 10-50mm height in early October each year (with cuttings removed where soils are considered to be potentially too nutrient rich). Steeper slopes may be strimmed;
- Re-seeding of failed areas; and
- Applications of fertiliser and lime will be avoided unless deemed beneficial at aftercare meetings



-	26/11/24	FINAL issue	IS	YP
-	20/10/24	Draft - First Issue	IS	-
Final Revision:	Date:	Description:	By:	CHK:

Consultant:

Mabbett®
 Planning | Design | Environment | Engineering | Safety

Client:

Fig Power Ltd

Site: **BESS, Spittal Mains Quarry Caithness**

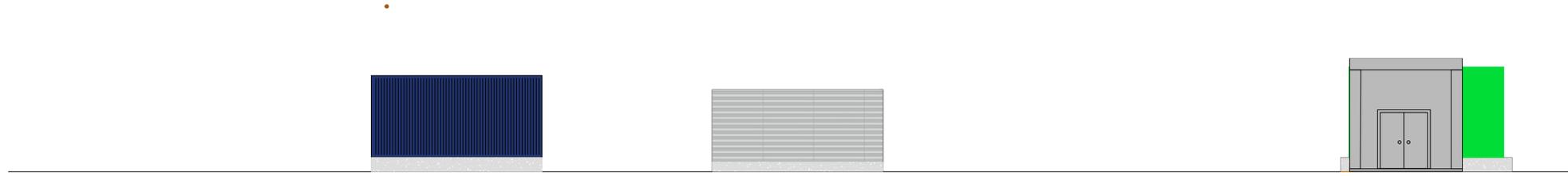
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Date: 26 Nov 2024 Scale: 1:1000 Paper Size: A2 (594x420 mm)

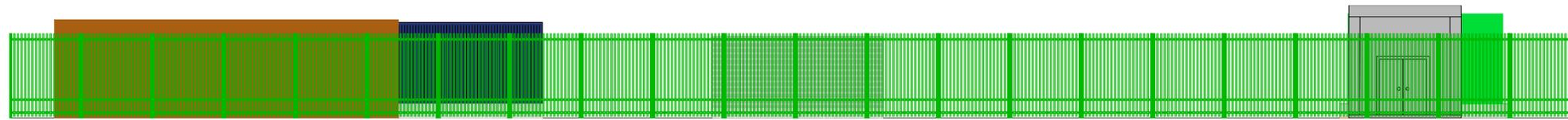
Drawn By: IS Checked By: - Status: Final Final Revision: -

CAD Ref: 314042-ADW01- FINAL - ILMP Drawing No: / Client Ref: **Figure L1**

EAST VIEW



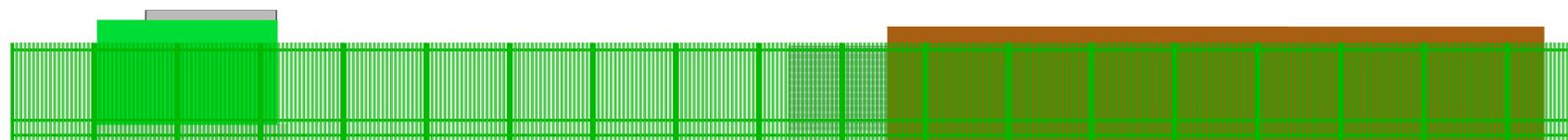
EAST VIEW



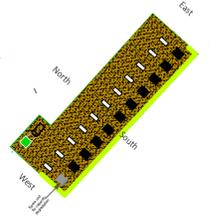
WEST VIEW



WEST VIEW



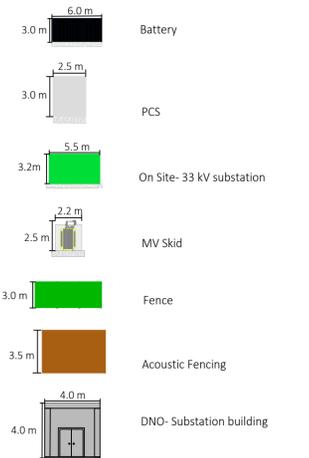
KEY PLAN



NOTES

Any equipment shown is indicative of dimensions and general appearance and may be subject to minor amendments by the manufacturer or supplier

LEGEND



REVISIONS

UPDATED VERSION						
P03	SS	29/01/2025	LGD	XX	XX	XX
UPDATED WITH ACOUSTIC FENCING AND DIMENSIONS						
P02	SS	26/06/2024	LGD	XX	XX	XX
INITIAL VERSION						
P01	SS	20/05/2024	LGD	XX	XX	XX

REVISION NOTES/COMMENTS						
REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE



CLIENT
FIG POWER LIMITED

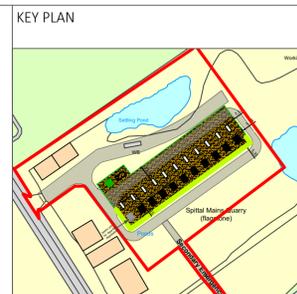
PROJECT
SPITTAL - 49.9 MW

TITLE
ELEVATIONS - EAST & WEST

FIG POWER PROJECT NO. 000014	SCALE @ A1 1:100	PAGE NO. X:XXX
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STATUS DESCRIPTION FOR INFORMATION	STATUS S2
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DRAWING NO. (PROJECT CODE-ORIGINATOR-TYPE-NUMBER) 000014-FIG-DR-0007	REVISION P03
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NOTES
Any equipment shown is indicative of dimensions and general appearance and may be subject to minor amendments by the manufacturer or supplier

- LEGEND
- Red Line Boundary
 - Battery
 - PCS
 - On site substation
 - MV Skid
 - Gravel/ Crushed stones
 - Access Road
 - Acoustic Fencing
 - DNO substation

REVISIONS

UPDATED REDLINE					
P05	SS	03/02/25	LGD		XX XX
INDICATED SECONDARY ACCESS					
P04	SS	16/10/24	LGD		XX XX
EXTENDED REDLINE BOUNDARY					
P03	SS	12/07/24	LGD	12/07/24	XX XX
UPDATED WITH ACOUSTIC FENCING & DIMENSIONS					
P02	SS	26/06/24	LGD	26/06/24	XX XX
INITIAL VERSION					
P01	SS	16/05/24	LGD	17/05/24	XX XX

REVISION NOTES/COMMENTS

REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE

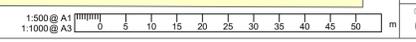


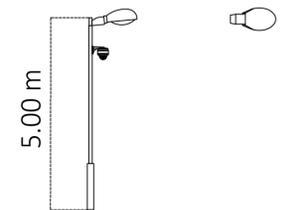
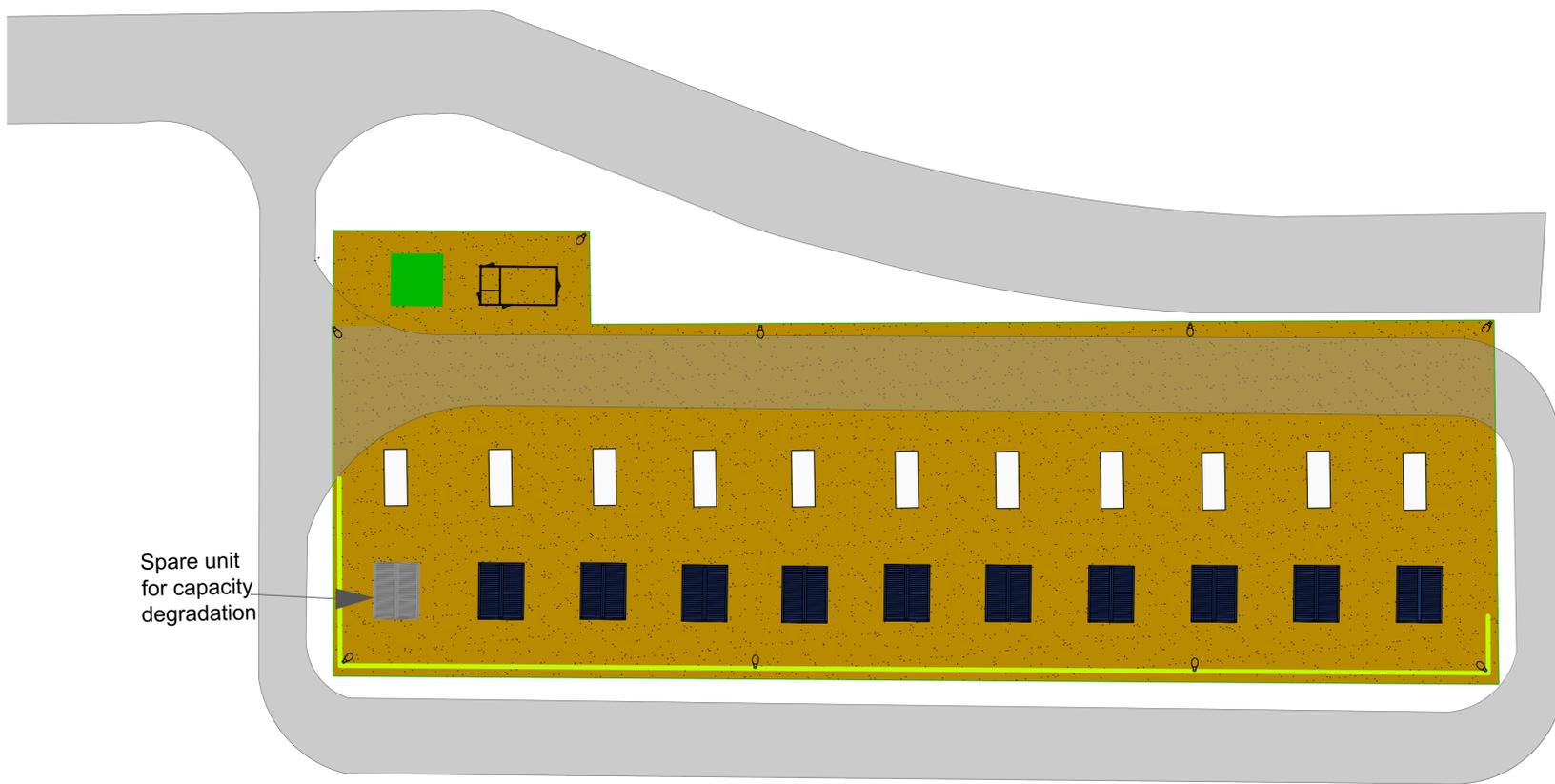
CLIENT
FIG POWER LIMITED

PROJECT
SPITTAL - 49.9 MW

TITLE
OPERATIONAL LAYOUT

FIG PROJECT NO. 000014	SCALE @ A1 1:500	PAGE NO. X:XXX
STATUS DESCRIPTION FOR INFORMATION	STATUS S2	REVISION P05
DRAWING NO. PROJECT CODE ORIGINATOR_ZONE_LEVEL_TYPE_ROLE_NUMBER 000014-FIG-DR-0006		





Lighting to be positioned around access road through the battery storage site.
 LED light fittings so all light is directed into the site.
 Light fittings are only required for unscheduled maintenance visits and will be motion sensitive.
 CCTV cameras will be attached to street lighting columns

KEY PLAN

NOTES
 Any equipment shown is indicative of dimensions and general appearance and may be subject to minor amendments by the manufacturer or supplier

LEGEND

-  Battery
-  PCS
-  On site substation
-  MV Skid
-  Gravel/ Crushed stones
-  Access Road
-  Acoustic Fencing
-  Lights
-  DNO Substation

REVISIONS

PO2	INITIAL VERSION	SS	03/02/25	XX	XX	XX	XX
PO1	INITIAL VERSION	SS	27/09/24	XX	XX	XX	XX

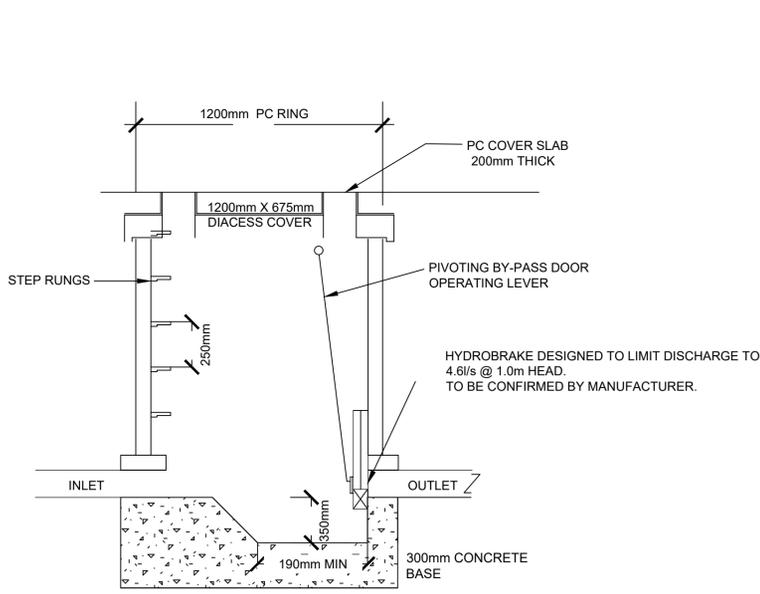


CLIENT
 FIG POWER

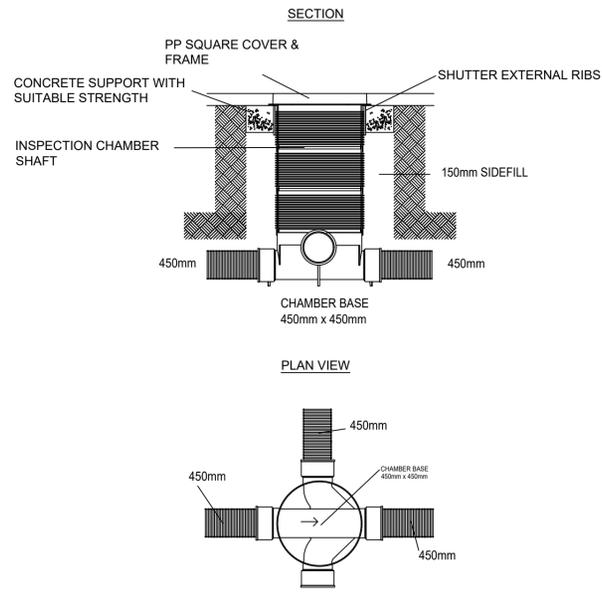
PROJECT
 SPITTAL
 BATTERY ENERGY STORAGE SYSTEM

TITLE
 LIGHTING PLAN

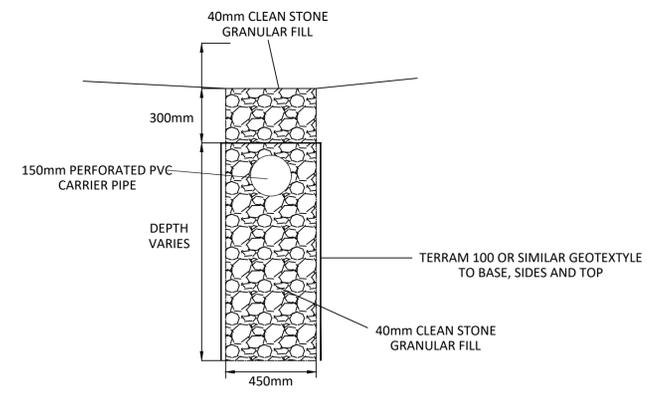
FIG PROJECT NO. 000014	SCALE @ A1 NTS	PAGE NO. X:XXX
STATUS DESCRIPTION FOR INFORMATION		STATUS S2
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 000014-FIG-DR-0011.1		REVISION PO2



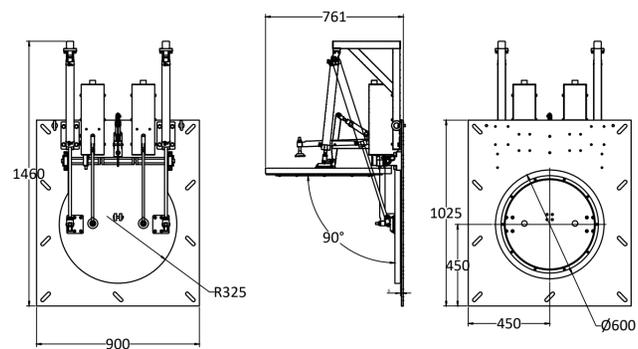
FLOW CONTROL MANHOLE



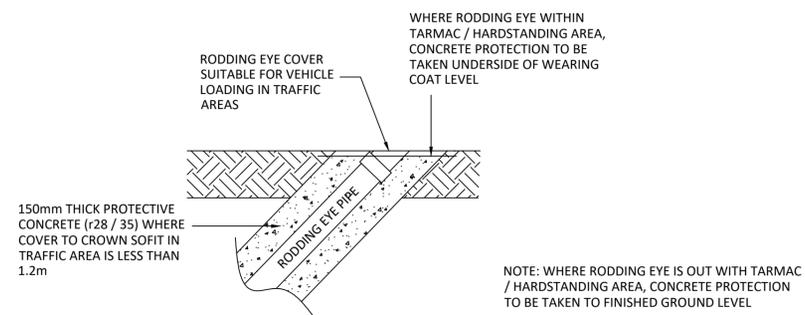
INSPECTION CHAMBER



TYPICAL SECTION THROUGH FILTER DRAIN



SANDFIELD TOGGLEBLOCK DETAIL
Ø600mm



TYPICAL RODDING EYE DETAIL

GENERAL NOTES:

1. DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, ENGINEERS, ARCHITECTS & SERVICES DRAWINGS.
2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS TO BE CHECKED ON SITE.
4. DO NOT SCALE FROM THE DRAWING.
5. THIS DRAWING IS FOR PLANNING ONLY.

01	ISSUED FOR PLANNING	21/01/25	TH	GM
Rev:	Description:	Date:	By:	Chk:

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PRELIMINARY

Client:
FIG POWER LTD

Site:
SPITTAL B.E.S.S.

Drawing Title:
DRAINAGE DETAILS SHEET 1

Date: 22 Jan 2025	Scale: NTS	Paper Size: A1 (841 x 594mm)
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Drawn By: TH	Checked By: GM	Passed: JR	Revision: 01
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CAD Ref: A3 Landscape	Drawing No. / Client Ref: Figure 1
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2. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS TO BE CHECKED ON SITE.
4. DO NOT SCALE FROM THE DRAWING.
5. THIS DRAWING IS FOR PLANNING ONLY.
6. ALL SERVICES TO BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING.
7. COVER LEVELS ESTIMATED USING EXISTING SITE CONDITIONS FROM 314446 SU001 - REV01 - TOPOGRAPHIC SURVEY.

KEY:

	SITE BOUNDARY
	PROPOSED SURFACE WATER DRAINAGE
	PROPOSED SURFACE WATER OUTFALL
	PROPOSED HYDROBRAKE OR SIMILAR FLOW CONTROL DEVICE
	SANDFIELD TOGGLEBLOK FIRE WATER VALVE
	GRAVEL SUB-BASE AREA

SYSTEM STORAGE DETAILS:

- GRAVEL SUB-BASE AREA: 3,293m²
- BATTERY FOUNDATION AREA: 555m²
- TOTAL SUB-BASE AREA: 2,738m²
- TOTAL SYSTEM STORAGE VOLUME: 739m³
- REQUIRED STORAGE: 650m³; 1 IN 200 + 42%CC

VOID RATIO OF 0.2 WAS ESTIMATED FOR SUB-BASE.
ESTIMATED VOLUME USING DEPTH AT Re, I.E. 1.35m.

DRAWING BASED ON:

- 000014-FIG-DR-00005_P02 - CONSTRUCTION LAYOUT
- 000014-FIG-DR-00006_P02 - OPERATIONAL LAYOUT
- 314446 SU001 - REV01 - TOPOGRAPHIC SURVEY - JAN 2024

01	ISSUED FOR PLANNING	21/01/25	TH	GM
Rev:	Description:	Date:	By:	Chk:

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Client: **FIG POWER LTD**

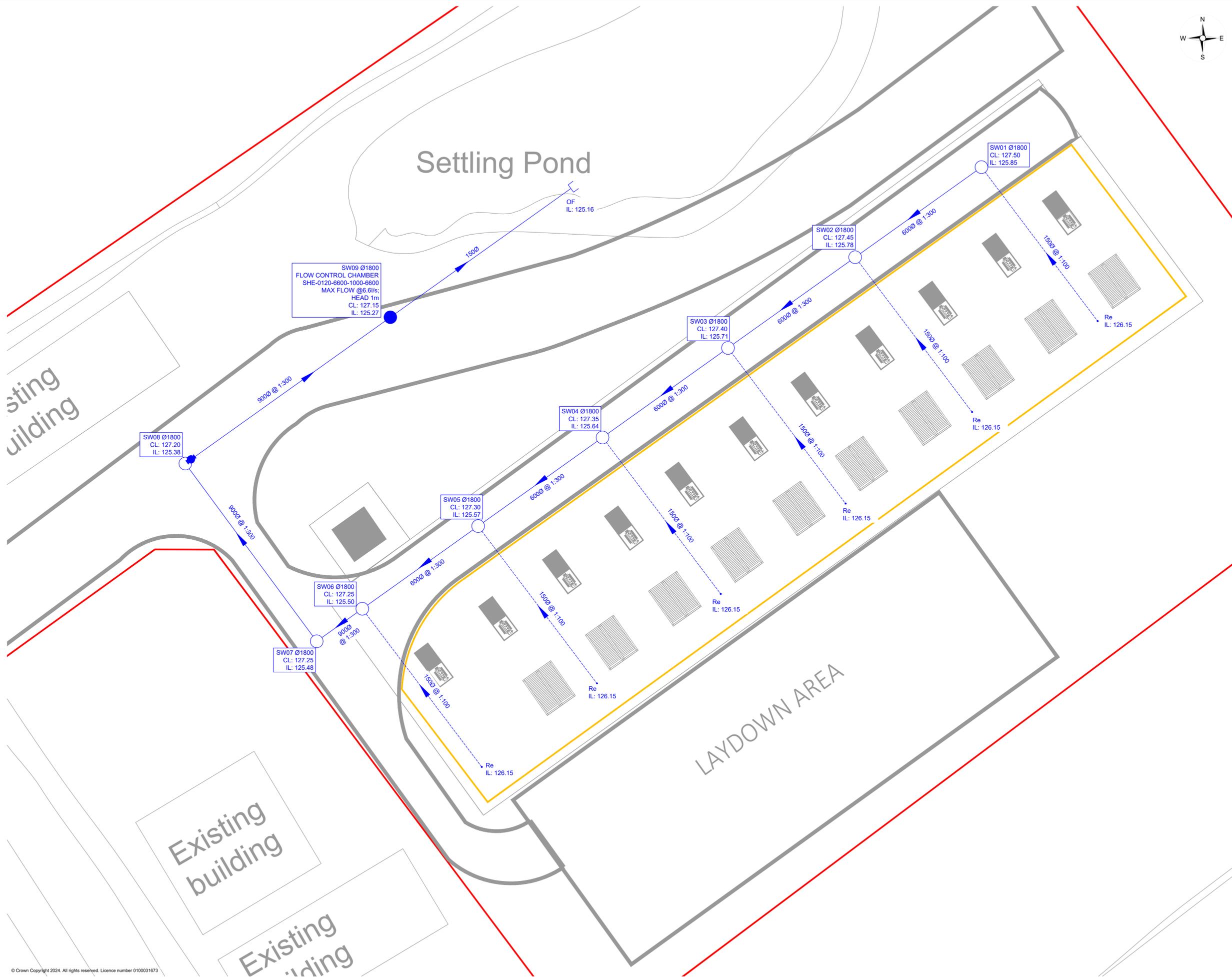
Site: **SPITTAL B.E.S.S.**

Drawing Title: **PROPOSED DRAINAGE LAYOUT**

Date: 22 Jan 2025	Scale: 1:500	Paper Size: A1 (841 x 594mm)
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Drawn By: TH	Checked By: GM	Passed: JR	Revision: 01
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CAD Ref: A1 Landscape	Drawing No. / Client Ref: Figure 1
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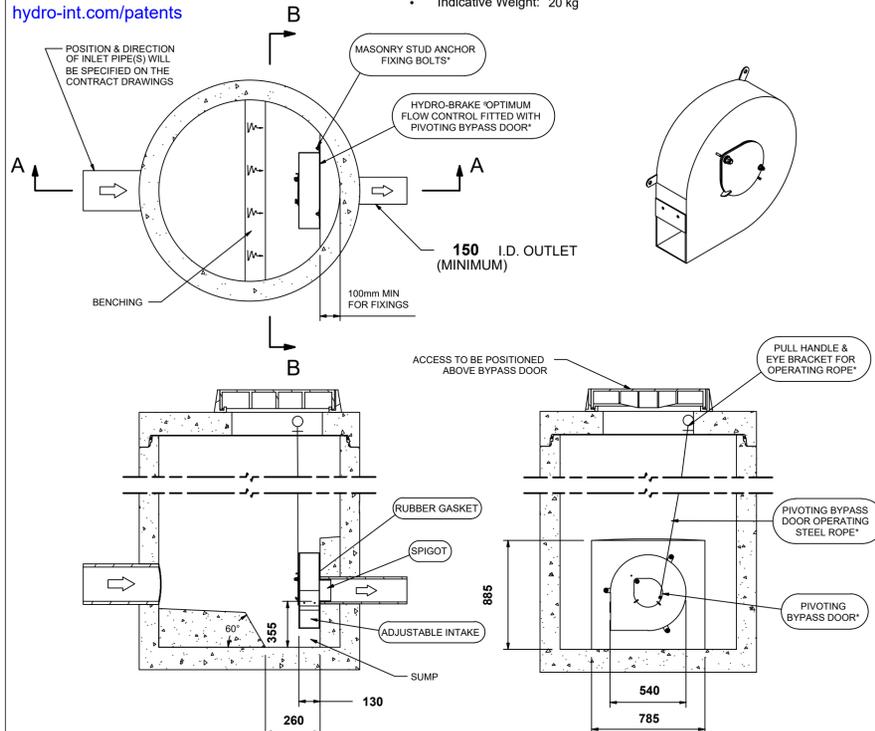
Technical Specification

Control Point	Head (m)	Flow (l/s)
Primary Design	1.000	6.600
Flush-Flo™	0.299	6.589
Kick-Flo®	0.652	5.412
Mean Flow		5.709

Hydro-Brake® Optimum Flow Control including:

- 3 mm grade 304L stainless steel
- Integral stainless steel pivoting by-pass door allowing clear line of sight through outlet, c/w stainless steel operating rope
- Beed blasted finish to maximise corrosion resistance
- Stainless steel fixings
- Rubber gasket to seal outlet
- Variable flow rate post installation via adjustable inlet
- Indicative Weight: 20 kg

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IMPORTANT: LIMIT OF HYDRO INTERNATIONAL SUPPLY THE DEVICE WILL BE HANDED TO SUIT SITE CONDITIONS FOR SITE SPECIFIC DETAILS AND MINIMUM CHAMBER SIZE REFER TO HYDRO INTERNATIONAL ALL CIVIL AND INSTALLATION WORK BY OTHERS * WHERE SUPPLIED HYDRO-BRAKE® FLOW CONTROL & HYDRO-BRAKE® OPTIMUM FLOW CONTROL ARE REGISTERED TRADEMARKS FOR FLOW CONTROLS DESIGNED AND MANUFACTURED EXCLUSIVELY BY HYDRO INTERNATIONAL

THIS DESIGN LAYOUT IS FOR ILLUSTRATIVE PURPOSES ONLY. NOT TO SCALE.

DESIGN ADVICE ! The head/flow characteristics of this SHE-0120-6600-1000-6600 Hydro-Brake® Optimum Flow Control are unique. Dynamic hydraulic modelling evaluates the full head/flow characteristic curve. The use of any other flow control will invalidate any design based on this data and could constitute a flood risk.

DATE	20/01/2025 13:40	SHE-0120-6600-1000-6600 Hydro-Brake® Optimum
SITE	BESS Spittal	
DESIGNER	Tiago henriques	
REF	314042	

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thenriques@mabbett.eu

Technical Specification						
	Original Setting		Minimum Setting		Maximum Setting	
Control Point	Head (m)	Flow (l/s)	Head (m)	Flow (l/s)	Head (m)	Flow (l/s)
Primary Design	1.000	6.600	1.000	5.764	1.000	7.334
Flush-Flo™	0.299	6.589	0.455	5.164	0.265	7.834
Kick-Flo®	0.652	5.412	0.654	4.726	0.652	6.019
Mean Flow		5.709		4.714		6.520

hydro-int.com/patents

Head (m)	Flow (l/s)
0.000	0.000
0.034	0.695
0.069	2.426
0.103	4.455
0.138	5.988
0.172	6.267
0.207	6.441
0.241	6.539
0.276	6.582
0.310	6.587
0.345	6.567
0.379	6.530
0.414	6.481
0.448	6.423
0.483	6.351
0.517	6.258
0.552	6.132
0.586	5.958
0.621	5.718
0.655	5.426
0.690	5.553
0.724	5.680
0.759	5.804
0.793	5.925
0.828	6.043
0.862	6.159
0.897	6.272
0.931	6.383
0.966	6.492
1.000	6.599

DESIGN ADVICE !	The head/flow characteristics of this SHE-0120-6600-1000-6600 Hydro-Brake® Optimum Flow Control are unique. Dynamic hydraulic modelling evaluates the full head/flow characteristic curve.	
	The use of any other flow control will invalidate any design based on this data and could constitute a flood risk.	
DATE	20/01/2025 13:40	SHE0120-6600-1000-6600 Hydro-Brake® Optimum
Site	BESS Spittal	
DESIGNER	Tiago henriques	
Ref	314042	

GENERAL NOTES:

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5. THIS DRAWING IS FOR PLANNING ONLY.

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Rev:	Description:	Date:	By:	Chk:

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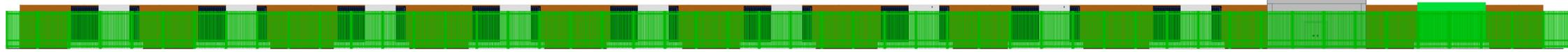
Client: **FIG POWER LTD**
 Site: **SPITTAL B.E.S.S.**
 Drawing Title: **DRAINAGE DETAILS SHEET 2**

Date: 22 Jan 2025	Scale: NTS	Paper Size: A1 (841 x 594mm)
Drawn By: TH	Checked By: GM	Passed: JR
CAD Ref: A1 Landscape		Revision: 01
Drawing No: / Client Ref:		Figure 1

NORTH VIEW



NORTH VIEW



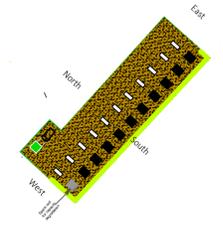
SOUTH VIEW



SOUTH VIEW



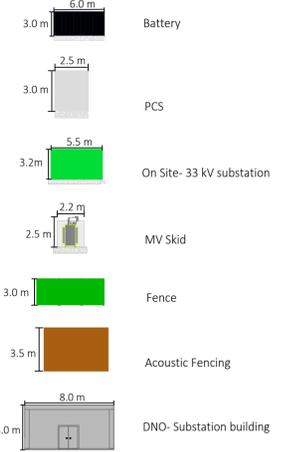
KEY PLAN



NOTES

Any equipment shown is indicative of dimensions and general appearance and may be subject to minor amendments by the manufacturer or supplier

LEGEND



REVISIONS

UPDATED VERSION						
REV	DATE	BY	CHKD BY	APP'D BY	DATE	COMMENTS
P03	29/01/2025	SS	LGD	XX	XX	XX
UPDATED WITH ACOUSTIC FENCING AND DIMENSIONS						
P02	26/06/2024	SS	LGD	XX	XX	XX
INITIAL VERSION						
P01	20/05/2024	SS	LGD	XX	XX	XX



CLIENT
FIG POWER LIMITED

PROJECT
SPITTAL- 49.9 MW

TITLE
ELEVATIONS - NORTH & SOUTH

FIG POWER PROJECT NO. 000014 SCALE @ A1 1:200 PAGE NO. X:XXX

STATUS DESCRIPTION FOR INFORMATION STATUS S2

DRAWING NO. (PROJECT CODE-ORIGINATOR-TYPE-NUMBER) 000014-FIG-DR-0007 REVISION P03

BATTERY CONTAINERS



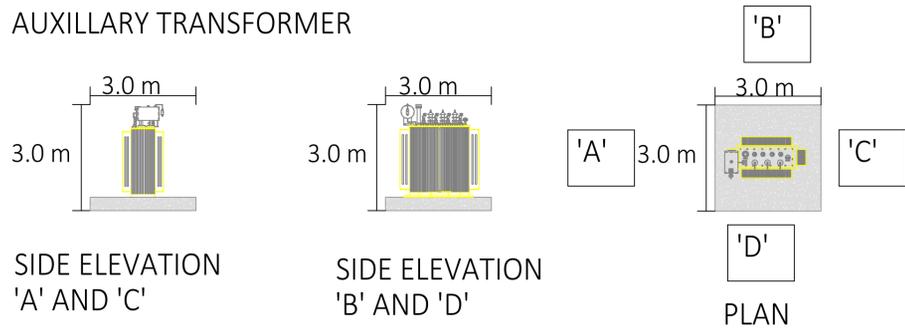
MV SKID CONTAINING PCS AND TRANSFORMER



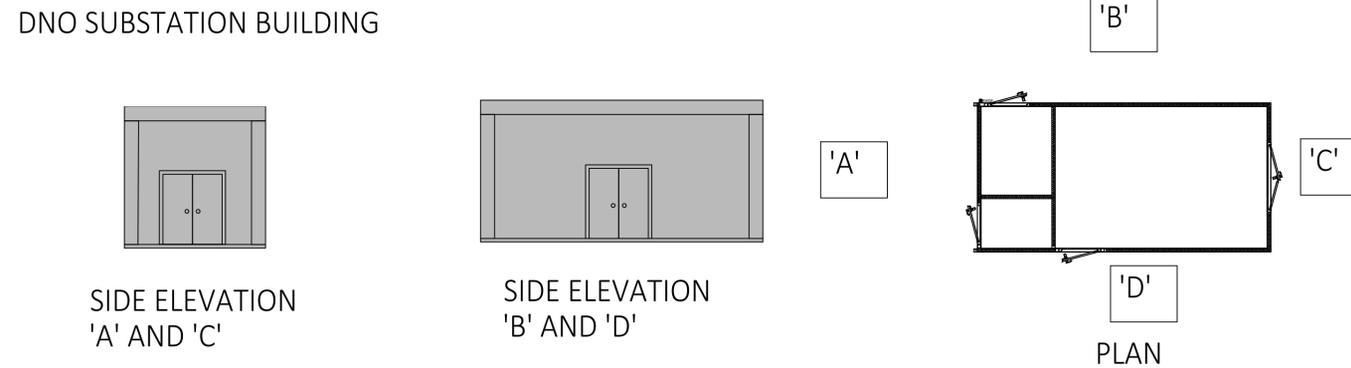
ON SITE - 33 KV SUBSTATION



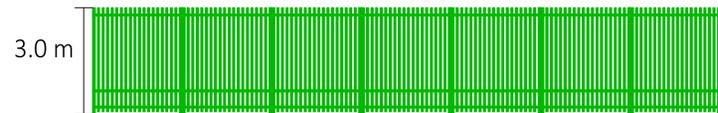
AUXILLARY TRANSFORMER



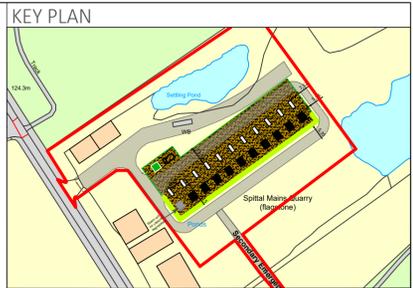
DNO SUBSTATION BUILDING



3 m PALISADE FENCE



3.5 m ACOUSTIC FENCE



NOTES
Any equipment shown is indicative of dimensions and general appearance and may be subject to minor amendments by the manufacturer or supplier

LEGEND

REVISIONS

UPDATED VERSION						
PO2	SS	03/02/25	LGD	XX	XX	XX
INITIAL VERSION						
PO1	SS	12/07/24	LGD	XX	XX	XX
REVISION NOTES/COMMENTS						
REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE



CLIENT
FIG POWER

PROJECT
SPITTAL
BATTERY ENERGY STORAGE SYSTEM

TITLE
EQUIPMENT

FIG POWER PROJECT NO.
000014

SCALE @ A1
1:100

PAGE NO.
X:XXX

STATUS DESCRIPTION
FOR INFORMATION

STATUS
S2

DRAWING NO. (PROJECT CODE-ORIGINATOR-TYPE-NUMBER)
000014-FIG-DR-0011

REVISION
P02